

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	C-2025-3051732
	:	
Kenneth R. High t/a Kenneth High Trucking	:	

INITIAL DECISION

Before
Chad L. Allensworth
Administrative Law Judge

INTRODUCTION

This decision grants Complainant’s Motion for Default Judgment and sustains the Formal Complaint against Respondent for failure to file an Answer or otherwise plead to allegations of transporting property between points in Pennsylvania for compensation without possessing a certificate of public convenience. Accordingly, the allegations of the Formal Complaint are deemed admitted, Default Judgment will be entered, and a civil penalty imposed on Respondent.

HISTORY OF THE PROCEEDING

On January 8, 2025, the Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement (“Complainant” or “I&E”) filed a Formal Complaint (“complaint”) with the Pennsylvania Public Utility Commission (“Commission”) against

Kenneth R. High t/a¹ Kenneth High Trucking (“Respondent”). The complaint alleges that: (a) Respondent was issued a Certificate of Public Convenience (“certificate”) on September 16, 2015 authorizing Respondent to transport property as a motor common carrier, (b) the certificate was cancelled effective May 11, 2017 at Respondent’s request and (c) Respondent was transporting property between points in Pennsylvania for compensation on October 18, 2024. Complaint ¶¶ 2-6.

On January 8, 2025, the Commission attempted service on Respondent by certified mail sent to the address on record with the Commission, which was 99 Creek Road, Newville, PA 17241. Motion for Default Judgment ¶ 3. The Complaint was unable to be served. Motion for Default Judgment ¶ 4.

On January 13, 2025, Respondent filed an application for a certificate to transport property intrastate for compensation at Docket No. A-2025-3054425. Motion for Default Judgment ¶ 5.

On February 22, 2025, the Commission served the complaint on Respondent by publication in the *Pennsylvania Bulletin* at 55 Pa.B. 1783 (Feb. 22, 2025). Motion for Default Judgment ¶ 6. The publication included a Notice advising Respondent that it must file an answer within 20 days of service of the complaint. Motion for Default Judgment ¶¶ 7-8.

Respondent failed to Answer or otherwise plead to the complaint on or before March 14, 2025, which was the deadline for service of the complaint by publication. Motion for Default Judgment ¶ 9.

¹ “t/a” stands for trading as.

On or about April 28, 2025, Respondent notified the Commission that his address had changed to 50 Willis Road, Newville, PA 17241. Motion for Default Judgment ¶ 10.

On April 29, 2025, Respondent filed an Application with the Commission to regain authority to transport property in Pennsylvania for compensation. Motion for Default Judgment ¶ 11.

On May 1, 2025, I&E sent Respondent a letter at 50 Willis Road, Newville, PA 17241 requesting that Respondent file an Answer to the complaint within 20 days of receipt of the letter or pay the civil penalty. Motion for Default Judgment ¶ 12.

On June 18, 2025, I&E sent Respondent a second letter requesting that Respondent file an Answer to the Complaint within 20 days of receipt of the letter or pay the civil penalty. Motion for Default Judgment ¶ 13.

To date, Respondent has not filed an Answer or otherwise plead to the complaint, nor has he paid the civil penalty. Motion for Default Judgment ¶ 14.

On September 12, 2025, I&E filed a Motion for Default Judgment (“motion”) with the Commission. The motion was served on Respondent by First-Class Mail sent to 50 Willis Road, Newville, PA 17241. The motion included a Notice advising Respondent to file a written response within 20 days of service of the motion.

On September 15, 2025, the Commission served a Motion Judge Assignment assigning the case to me. I held the Motion in abeyance since, pursuant to 52 Pa. Code § 5.103(c), the Respondent had 20 days to respond to the motion, which would be October 2, 2025.

Respondent failed to timely answer or object to the motion. The record closed on October 3, 2025 at the expiration of Respondent's time to answer or object to the motion.

This decision grants Complainant's Motion for Default Judgment.

FINDINGS OF FACT

1. Complainant is the Commission's Bureau of Investigation and Enforcement.
2. Respondent is Kenneth R. High t/a Kenneth High Trucking with a mailing address of 50 Willis Road, Newville, PA 17241.
3. On September 16, 2015, Respondent was issued a certificate by the Commission at Docket No. A-2015-2491600 authorizing Respondent to transport property, excluding household goods in use, as a motor common carrier between points in Pennsylvania for compensation at PUC No. 8917832. Complaint ¶ 2.
4. On May 11, 2017, Respondent filed for and received a discontinuance of authority/certificate at Docket No. A-2017-2603573 that canceled the certificate. Complaint ¶ 3.
5. On October 18, 2024, PUC Officer Jeremy Smith was conducting inspections at Fort Littleton Turnpike Interchange at Rt. 522, Dublin Township, Fulton County when he completed a Driver/Vehicle Compliance Report ("DVCR") indicating that Complaint was using a 2020 Ford Truck, PA registration number ZJS3003 to transport building materials from Newville, PA to McConnellsburg, PA for compensation. Complaint ¶ 4.

6. Complainant indicated that he believed he had authority to transport property for compensation in Pennsylvania. Complaint ¶ 5.

7. Complainant did not have authority/certificate from the Commission to transport property for compensation in Pennsylvania. Complaint ¶ 5.

8. On January 8, 2025, I&E filed a complaint against Respondent that was sent by certified mail to 99 Creek Road, Newville, PA 17241. Motion for Default Judgment ¶ 3.

9. The Complaint was unable to be served by certified mail. Motion for Default Judgment ¶ 4.

10. On January 13, 2025, Respondent filed an application for a certificate to transport property intrastate for compensation at Docket No. A-2025-3054425. Motion for Default Judgment ¶ 5.

11. On February 22, 2025, the Commission served the complaint on Respondent by publication in the *Pennsylvania Bulletin* at 55 Pa.B. 1783 (Feb. 22, 2025). Motion for Default Judgment ¶ 6.

12. The publication included a Notice advising Respondent that it must file an answer within 20 days of service of the complaint. Motion for Default Judgment ¶¶ 7-8.

13. Respondent failed to Answer or otherwise plead to the complaint by the deadline of March 14, 2025. Motion for Default Judgment ¶ 9.

14. On or about April 28, 2025, Respondent notified the Commission that his address had changed to 50 Willis Road, Newville, PA 17241. Motion for Default Judgment ¶ 10.

15. On April 29, 2025, Respondent filed an Application with the Commission for a certificate at Docket No. A-2025-3054425 to regain authority to transport property in Pennsylvania for compensation. Motion for Default Judgment ¶ 11.

16. On May 1, 2025 and June 18, 2025, I&E sent Respondent separate letters at 50 Willis Road, Newville, PA 17241 requesting that Respondent file an Answer to the complaint within 20 days of receipt of the letters or pay the civil penalty. Motion for Default Judgment ¶¶ 12-13.

17. To date, Respondent has not filed an Answer or otherwise plead to the complaint, nor has he paid the civil penalty. Motion for Default Judgment ¶ 14.

18. On July 9, 2025, the Commission dismissed Respondent's Application for a certificate at Docket No. A-2025-3054425. Motion for Default Judgment ¶ 18.

19. On September 12, 2025, I&E filed a Motion for Default Judgment that was served on Respondent by First-Class Mail sent to 50 Willis Road, Newville, PA 17241 and included a Notice advising Respondent to file a written response within 20 days of service of the motion.

20. Respondent failed to answer or otherwise object to the motion.

DISCUSSION

Jurisdiction and Authority

Section 501 of the Public Utility Code (“Code”) grants the Commission authority to supervise and regulate all public utilities doing business in the Commonwealth and requires all public utilities to comply with regulations and orders. 66 Pa.C.S. § 501. Section 701 of the Code grants the Commission jurisdiction and authority to file a complaint against a public utility for violation of the Code, any regulation or order of the Commission. 66 Pa.C.S. § 701. Section 1101 of the Code provides that it shall be unlawful for a proposed public utility to begin to offer, render, furnish, or supply service within the Commonwealth prior to approval of its application. 66 Pa.C.S. § 1101.

I&E is the Commission’s bureau established to take enforcement actions against public utilities and other entities subject to the Commission's jurisdiction. 66 Pa.C.S. § 308.2(a)(11); *see also Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Opinion and Order entered Aug. 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

The Commission has authority to hear and determine complaints for unauthorized operation by motor carriers pursuant to Section 3310 of the Code. 66 Pa.C.S. § 3310. Section 3310 provides in pertinent part as follows:

(a) General rule.--Any person or corporation operating as a motor carrier or as a common carrier by airplane, and any operator or employee of such carrier, and any person or corporation operating as a broker, without a certificate of public convenience, permit or license, authorizing the service performed, as required by this part, shall be guilty of a summary offense, and any subsequent offense by such

person or corporation shall constitute a misdemeanor of the third degree.

66 Pa.C.S. § 3310(a).

Motion for Default Judgment

Commission regulations provide that a Respondent failing to file an answer within the applicable period may be deemed in default, and relevant facts stated in the pleadings may be deemed admitted. 52 Pa.C.S. § 5.61(c); *see also Pa. Pub. Util. Comm'n v. Glenn's Inc.*, Docket No. C-2014-2413366 (Opinion and Order entered Aug. 3, 2015) ("*Glenn's Inc.*"). The Commonwealth Court has also upheld the Commission's authority to sustain complaints that are not answered within twenty days. *Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

In the current case, the Commission unsuccessfully attempted to serve Respondent with the complaint by certified mail at Respondent's registered address of 99 Creek Road, Newville, PA 17241. Thereafter, on February 22, 2025, the Commission served the complaint on Respondent by publication in the *Pennsylvania Bulletin* at 55 Pa.B. 1783 (Feb. 22, 2025) in accordance with Section 1.53 of the Commission's regulations. 52 Pa. Code § 1.53(e). The publication included a notice advising Respondent that he must file an Answer within 20 days of service of the Complaint.

As Respondent failed to file an answer or otherwise plead to the complaint or the motion, the Motion for Default Judgment will be granted and the averments in the complaint are deemed to be admitted by Respondent. 52 Pa.C.S. § 5.61(c).

Disposition

Among the relevant facts deemed admitted are: (1) the Commission issued Respondent a certificate of public convenience on September 16, 2015 that authorized him to transport property, excluding household goods in use, as a motor common carrier between points in Pennsylvania for compensation, (2) Respondent's certificate was canceled on May 11, 2017 and (3) on October 18, 2024, Respondent was issued a DVCR by PUC Officer Jeremy Smith for transporting building materials from Newville, PA to McConnellsburg, PA for compensation. Complaint ¶¶ 2-4. It is also deemed admitted that Respondent claimed that he thought he had authority to transport property and review of Commission records reflected that Respondent did not have a certificate to act as a motor carrier on October 18, 2024. Complaint ¶ 5.

As previously set forth in this decision, Section 3310(a) of the Code establishes that it is a violation for any person or corporation to operate as a motor carrier without a certificate of public convenience, permit or license, authorizing the service performed. 66 Pa.C.S. § 3310. Motor carrier is defined as, “[a] common carrier by motor vehicle, and a contract carrier by motor vehicle. The term does not include a transportation network company or a transportation network company driver.” 66 Pa.C.S. § 102. A common carrier by motor vehicle is defined as follows:

(1) Any common carrier who or which holds out or undertakes the transportation of passengers or property, or both, or any class of passengers or property, between points within this Commonwealth by motor vehicle for compensation, whether or not the owner or operator of such motor vehicle, or who or which provides or furnishes any motor vehicle, with or without driver, for transportation or for use in transportation of persons or property as aforesaid.

(2) The term includes:

(i) Common carriers by rail, water, or air, and express or forwarding public utilities insofar as such common carriers or such public utilities are engaged in such motor vehicle operations.

(ii) A person that holds itself out to provide or furnish transportation of household property between residential dwellings within this Commonwealth by motor vehicle for compensation, owns or operates the motor vehicle and provides or furnishes a driver of the motor vehicle with the transportation.

(3) The term does not include:

(i) A lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance, supervision, or control of the motor vehicles so sold.

(ii) Transportation of school children for school purposes or to and from school-related activities whether as participants or spectators, with their chaperones, or between their homes and Sunday school in any motor vehicle owned by the school district, private school or parochial school, or transportation of school children between their homes and school or to and from school-related activities whether as participants or spectators, with their chaperones, if the person performing the school-related transportation has a contract for the transportation of school children between their homes and school, with the private or parochial school, with the school district or jointure in which the school is located, or with a school district that is a member of a jointure in which the school is located if the jointure has no contracts with other persons for the transportation of students between their homes and school, and if the person maintains a copy of all contracts in the vehicle at all times, or children between their homes and Sunday school in any motor vehicle operated under contract with the school district, private school or parochial school. Each school district shall adopt regulations

regarding the number of chaperones to accompany students in connection with school-related activities.

(iii) Any owner or operator of a farm transporting agricultural products from, or farm supplies to, such farm, or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms.

(iv) Any person or corporation who or which uses, or furnishes for use, dump trucks for the transportation of ashes, rubbish, excavated and road construction materials. This paragraph does not include the use or furnishing of five-axle tractor trailers.

(v) Transportation of property by the owner to himself, or to purchasers directly from him, in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others.

(vi) Transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary, general, municipal or special election.

(vii) Transportation of pulpwood, chemical wood, saw logs or veneer logs from woodlots.

(viii) Transportation by towing of wrecked or disabled motor vehicles.

(ix) Any person or corporation who or which furnishes transportation for any injured, ill or dead person.

(x) A person or entity that is any of the following:

(A) A transportation network company.

(B) A transportation network company driver.

(xi) A motor carrier when the motor carrier provides transportation of household goods in containers or trailers

that are entirely packed, loaded, unloaded or unpacked by an individual other than an employee or agent of the motor carrier.

66 Pa.C.S. § 102.

By using his vehicle to transport building materials from Newville, PA to McConnellsburg, PA on October 18, 2024 for compensation without possessing a certificate of public convenience to provide that service, Respondent violated Sections 1101 and 3310 of the Code. 66 Pa.C.S. §§ 1101, 3310(a). I&E proposed a civil penalty of \$200 for these violations.

Civil Penalty

Section 3301 of the Code authorizes the Commission to impose civil penalties, up to \$1,000, for the violations herein and provides, in pertinent part, as follows:

(a) General rule.--If any public utility, or any other person or corporation subject to this part, shall violate any of the provisions of this part, or shall do any matter or thing herein prohibited; or shall fail, omit, neglect, or refuse to perform any duty enjoined upon it by this part; or shall fail, omit, neglect or refuse to obey, observe, and comply with any regulation or final direction, requirement, determination or order made by the commission, or any order of the commission prescribing temporary rates in any rate proceeding, or to comply with any final judgment, order or decree made by any court, such public utility, person or corporation for such violation, omission, failure, neglect, or refusal, shall forfeit and pay to the Commonwealth a sum not exceeding \$1,000, to be recovered by an action of assumpsit instituted in the name of the Commonwealth. In construing and enforcing the provisions of this section, the violation, omission, failure, neglect, or refusal of any officer, agent, or employee acting for, or employed by, any

such public utility, person or corporation shall, in every case be deemed to be the violation, omission, failure, neglect, or refusal of such public utility, person or corporation.

66 Pa.C.S. § 3301(a).

The standard for civil penalties was developed in *Rosi v. Bell-Atlantic – Pennsylvania, Inc. and Sprint Communications, L.P.*, Docket No. C-00992409 (Opinion and Order entered Mar. 16, 2000) (“*Rosi*”), and in *Pennsylvania Public Utility Commission v. NCIC Operator Services*, Docket No. M-00001440 (Order entered Dec. 21, 2000), where the Commission held that violations would be subject to the *Rosi* standards. Subsequently, the Commission adopted a policy statement enumerating the same standards. Through case law, the Commission has directed that litigated proceedings seeking to impose a civil penalty include an analysis of these standards. The Commission regulation at 52 Pa. Code § 69.1201 sets forth the following ten factors for determining whether a fine for violating a Commission order, regulation or statute is appropriate:

(1) Whether the conduct at issue was of a serious nature. When conduct of a serious nature is involved, such as willful fraud or misrepresentation, the conduct may warrant a higher penalty. When the conduct is less egregious, such as administrative filing or technical errors, it may warrant a lower penalty.

(2) Whether the resulting consequences of the conduct at issue were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty.

(3) Whether the conduct at issue was deemed intentional or negligent. This factor may only be considered in

evaluating litigated cases. When conduct has been deemed intentional, the conduct may result in a higher penalty.

(4) Whether the regulated entity made efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. These modifications may include activities such as training and improving company techniques and supervision. The amount of time it took the utility to correct the conduct once it was discovered and the involvement of top-level management in correcting the conduct may be considered.

(5) The number of customers affected and the duration of the violation.

(6) The compliance history of the regulated entity which committed the violation. An isolated incident from an otherwise compliant utility may result in a lower penalty, whereas frequent, recurrent violations by a utility may result in a higher penalty.

(7) Whether the regulated entity cooperated with the Commission's investigation. Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty.

(8) The amount of the civil penalty or fine necessary to deter future violations. The size of the utility may be considered to determine an appropriate penalty amount.

(9) Past Commission decisions in similar situations.

(10) Other relevant factors.

52 Pa. Code § 69.1201. Accordingly, the factors set out in 52 Pa. Code § 69.1201(c) are addressed below.

(1) Whether the conduct at issue was of a serious nature. When conduct of a serious nature is involved, such as willful fraud or misrepresentation, the conduct may warrant a

higher penalty. When the conduct is less egregious, such as administrative filing or technical errors, it may warrant a lower penalty.

The evidence in this case supports a finding that the conduct is less egregious. There is no evidence in the record to support that Respondent engaged in willful fraud or misrepresentation. This factor supports a lower penalty.

(2) Whether the resulting consequences of the conduct at issue were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty.

No evidence was presented regarding personal injury or property damage. Therefore, this factor has no impact on the amount of the penalty.

(3) Whether the conduct at issue was deemed intentional or negligent. This factor may only be considered in evaluating litigated cases. When conduct has been deemed intentional, the conduct may result in a higher penalty.

The record reflects that Respondent believed that he had authority from the Commission to transport property on October 18, 2024 and stated that if he did not it was because the certificate was accidentally discontinued. There is no evidence of prior violations and Respondent did have a certificate from the Commission to act as a motor common carrier at one point. Thus, there is no evidence that the conduct at issue was intentional or negligent and this factor supports a lower penalty.

(4) Whether the regulated entity made efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. These modifications may include activities such as training and improving company techniques and supervision. The amount of time it took the utility to correct the conduct

once it was discovered and the involvement of top-level management in correcting the conduct may be considered.

Following receipt of the DVCR from PUC Officer Jeremy Smith on October 18, 2024, Respondent applied for a certificate from the Commission on April 29, 2025 at Docket No. A-2025-3054424 to regain Authority to transport property between points in Pennsylvania for compensation. Although the Commission dismissed Respondent's Application, Respondent's action to apply for a certificate constitutes an effort to address the issue and prevent repetition of the violation. Therefore, this factor supports a lower penalty.

(5) The number of customers affected and the duration of the violation.

No evidence was presented regarding the number of customers affected or the total duration of this violation. Therefore, this factor has no impact on the amount of the penalty.

(6) The compliance history of the regulated entity which committed the violation. An isolated incident from an otherwise compliant utility may result in a lower penalty, whereas frequent, recurrent violations by a utility may result in a higher penalty.

No evidence was presented regarding Respondent's compliance history. As such, the record supports that the violation in question was an isolated incident. Therefore, this factor supports a lower penalty.

(7) Whether the regulated entity cooperated with the Commission's investigation. Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty.

No evidence was presented to demonstrate that the Respondent cooperated or failed to cooperate with the Commission's investigation. Therefore, this factor has no impact on the amount of the penalty.

(8) The amount of the civil penalty or fine necessary to deter future violations. The size of the utility may be considered to determine an appropriate penalty amount.

I&E has asked the Commission to approve a \$200 penalty to deter future violations of this sort. I find I&E's proposed \$200 penalty to be an appropriate amount that is sufficient to impress upon the Respondent the need to comply with the Commission's regulations.

(9) Past Commission decisions in similar situations.

I&E did not present any evidence concerning past Commission decisions in similar situations. The Commission has noted that most motor carrier enforcement proceedings impose modest civil penalties based on what is often a minor infraction and the small size of the regulated entity. *Pa. Publ. Util. Comm'n, Bureau of Investigation and Enforcement v. J J Serafin, Inc. t/a AAAA Limo & AAA Transit*, Docket No. C-2024-3049873 (Final Order entered Aug. 14, 2025). In this case, the record supports that the infraction is minor based on a one-time infraction by Respondent based on a misconception that he still had a certificate to provide the service. Therefore, this factor supports the \$200 penalty requested by I&E.

(10) Other relevant factors.

No other relevant factors were presented.

It is uncontested that Respondent violated the Code on October 18, 2024, by operating a motor common carrier via transporting property, excluding household goods in use, between points in Pennsylvania for compensation without authority or possessing a certificate of convenience. Considering the nature of the Respondent's violation, the provisions at 66 Pa.C.S. §§ 1101, 3301(a), as well as the factors set out at 52 Pa. Code § 69.1201(c), the \$200 penalty requested by I&E is reasonable and is granted.

CONCLUSIONS OF LAW

1. The Commission has authority and jurisdiction over the parties and the subject matter of this proceeding. 66 Pa.C.S. §§ 501, 701.
2. Commission regulations provide that a Respondent failing to file an answer within the applicable period may be deemed in default, and relevant facts stated in the pleadings may be deemed admitted. 52 Pa.C.S. § 5.61(c); *Pa. Pub. Util. Comm'n v. Glenn's Inc.*, Docket No. C-2014-2413366 (Opinion and Order entered Aug. 3, 2015).
3. The Commission has authority to sustain complaints that are not answered within twenty days. *Fusaro v. Pa. Pub. Util. Comm'n*, 382 A. 2d 794, 797 (Pa. Cmwlth. 1978).
4. Respondent is deemed to be in default by failing to answer or otherwise plead to the complaint and the relevant facts therein are deemed admitted. 52 Pa.C.S. § 5.61(c).
5. It shall be unlawful for a proposed public utility to begin to offer, render, furnish, or supply service within the Commonwealth prior to approval of its application. 66 Pa.C.S. § 1101.

6. A person or corporation may not operate as a motor carrier without a certificate of public convenience, permit or license, authorizing the service performed. 66 Pa.C.S. § 3310(a).

7. Respondent is deemed to be in default by failing to answer or otherwise plead to the complaint and the relevant facts therein are deemed admitted. 52 Pa.C.S. § 5.61(c).

8. The facts deemed admitted support that Respondent violated Sections 1101 and 3310 of the Public Utility Code by transporting property, excluding household goods in use, as a motor common carrier between points in Pennsylvania for compensation. 66 P.S. §§ 1101, 3310(a).

9. The Public Utility Code provides that if any public utility fails to comply with any regulation or final direction, requirement, determination or order made by the Commission, it shall forfeit and pay to the Commonwealth a sum not exceeding \$1,000.00 per day of violation. 66 Pa.C.S. § 3301(a).

10. The Commission is authorized to consider and impose civil monetary penalties for violations of the Public Utility Code after evaluation of specific factors. 52 Pa. Code § 69.1201; *Rosi v. Bell-Atl. – Pa., Inc. and Sprint Comms., L.P.*, Docket No. C-00992409 (Opinion and Order entered Mar. 16, 2000).

11. I&E's proposal for a \$200 civil penalty is reasonable under applicable standards. 52 Pa. Code § 69.1201.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion for Default Judgment filed by the Commission's Bureau of Investigation and Enforcement against Kenneth R. High t/a Kenneth High Trucking at Docket No. C-2025-3051732 is granted.

2. That the Formal Complaint filed in Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Kenneth R. High t/a Kenneth High Trucking at Docket No. C-2025-3051732 is sustained.

3. That, within thirty (30) days of the entry date of this Opinion and Order, Kenneth R. High t/a Kenneth High Trucking shall remit \$200.00, payable by certified check or money order, to "Commonwealth of Pennsylvania" and sent to:

Matt Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

4. That a copy of this Opinion and Order shall be served upon the Financial and Assessment Chief, Office of Administrative Services.

5. That, if Kenneth R. High t/a Kenneth High Trucking fails to make the payment required by Ordering Paragraph No. 3, above, within thirty (30) days of the

