

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held December 4, 2025

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Application of SilverRide, Inc.

A-2025-3058140
A-6328364

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a Petition for Reconsideration from Staff Action (Petition) filed by SilverRide, Inc. (Applicant or SilverRide), on November 5, 2025, relative to the above-captioned proceeding.¹ The Secretarial Letter to which the Petition refers was issued on November 3, 2025 (*November 2025 Secretarial Letter*).²

¹ According to the Pennsylvania Department of State, the Applicant's registered legal name is "SilverRide, Inc."

² Because the Petition challenges the action taken in the *November 2025 Secretarial Letter* and was filed within twenty (20) days of the issuance of the *November 2025 Secretarial Letter*, we shall regard the Petition as a Petition for Reconsideration from Staff Action, pursuant to 52 Pa. Code § 5.44(a).

No Answer to the Petition has been filed. For the reasons that follow, we shall grant the Petition, rescind the *November 2025 Secretarial Letter*, and refer this matter to the Commission’s Bureau of Technical Utility Services (TUS) for such further action as may be deemed necessary, consistent with this Opinion and Order.

I. History of Proceeding

On October 24, 2025, SilverRide filed an Application for a Transportation Network Service License (TNSL) with the Commission.³ In its Application, SilverRide requested authority to provide transportation for compensation between points in Pennsylvania using a digital network to facilitate prearranged rides.⁴ Application at 1.

On November 3, 2025, the Commission issued the *November 2025 Secretarial Letter* dismissing the Application. In pertinent part, the *November 2025 Secretarial Letter* stated as follows:

The Commission has determined that a Certificate of Public Convenience shall not be granted for the following reason(s):

- **Failure to comply with 66 [Pa.]C.S. § 2604.1(a)(3);**
[The] Applicant’s website fails to include all [of] the information required under subsection (b)(10).
 - i. **66 [Pa.]C.S. § 2604.1(b)(10)(ii)** requires the [A]pplicant to establish and maintain a publicly accessible Internet website that provides the telephone number to file a consumer complaint with the Commission and the Commission’s Internet website address. [The] Applicant failed

³ We note that the Verification of Application included in SilverRide’s Application was signed by “Jeff Maltz.” Application at 5.

⁴ The Applicant represented that SilverRide is a Transportation Network Company (TNC) that currently operates in twelve (12) states and provides “safe and reliable door-through-door transportation and other services for seniors and individuals with cognitive and physical conditions.” Application at 3, ¶ 13.

to provide the Commission's telephone number to file a consumer complaint, and the Commission's Internet website address.

For this reason(s), your [A]pplication is **DENIED** and **DISMISSED**.

November 2025 Secretarial Letter at 1 (emphasis in original).

Additionally, the *November 2025 Secretarial Letter* informed SilverRide that, if it disagreed with the Commission's determination, then it may submit a Petition for Reconsideration from Staff Action with the Commission's Secretary within twenty (20) days of the date of the *November 2025 Secretarial Letter*. Further, the *November 2025 Secretarial Letter* outlined instructions regarding the form and content of such a Petition for Reconsideration from Staff Action, including references to the inclusion of relevant documentation and a signed verification statement, as set forth in 52 Pa. Code §§ 1.31 and 5.44. *November 2025 Secretarial Letter* at 1-2.

As noted, *supra*, on November 5, 2025, SilverRide timely filed the instant Petition. No response to the Petition has been filed.

II. Discussion

A. Legal Standards

Petitions for Reconsideration from Staff Action are governed by the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code § 5.44(a), which provides the following:

Actions taken by staff, other than a presiding officer, under authority delegated by the Commission, will be deemed to be the final action of the Commission unless reconsideration is

sought from the Commission within 20 days after service of notice of the action, unless a different time period is specified in this chapter or in the act.

52 Pa. Code § 5.44(a).

Courts have held that “[a] litigant's burden of proof before administrative tribunals as well as before most civil proceedings is satisfied by establishing a preponderance of evidence which is substantial and legally credible.” *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990). Additionally, Section 332(a) of the Public Utility Code (Code), 66 Pa.C.S. § 332(a), provides that the party seeking a rule or order from the Commission has the burden of proof in that proceeding.

In this proceeding, SilverRide is the party seeking affirmative relief from the Commission. Therefore, SilverRide is the party with the burden of proof. *See Application of 610 Hauling, LLC, t/a College Hunks Hauling Junk, for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the counties of Chester, Delaware, Montgomery, Philadelphia, and Bucks, to points in Pennsylvania*, Docket Nos. A-2012-2334103 and A-8915269 (Opinion and Order entered November 5, 2015) (*610 Hauling*) (citing *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854 (Pa. 1950) (*Se-Ling Hosiery*)).

In *Se-Ling Hosiery, supra*, the Pennsylvania Supreme Court held that the term “burden of proof” means a duty to establish a fact by a preponderance of the evidence. The term “preponderance of the evidence” means that one party has presented evidence that is more convincing, by even the slightest degree, than the evidence presented by the opposing party. Additionally, the Commission must ensure that the decision is supported by substantial evidence in the record. The Pennsylvania appellate courts have defined substantial evidence to mean such relevant evidence that a reasonable

mind may accept as adequate to support a conclusion; more is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established.

610 Hauling (citing *Norfolk & Western Railway Co. v. Pa. PUC*, 413 A.2d 1037 (Pa. 1980); *Murphy v. Pa. Dept. of Public Welfare, White Haven Center*, 480 A.2d 382 (Pa. Cmwlth. 1984)).

On November 4, 2016, then-Governor Tom Wolf signed into law Act 164 of 2016 (Act 164 or Act), which amends Title 53 (Municipalities Generally), Title 66 (Public Utilities), and Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes. Act 164 established, *inter alia*, the regulatory framework for the provisions of a new type of transportation service in Pennsylvania, known as TNC service. TNC service operates using an internet application on smart phones to match passengers with a TNC driver to facilitate transportation. The Commission’s administrative responsibilities for implementing the provisions of Act 164 are contained within Chapter 26 of the Act. *See Act 164 of 2016 – Implementation of Chapter 26*, Docket No. L-2016-2574379 (Implementation Order entered December 8, 2016).

Section 2604.1(b) of the Code, 66 Pa.C.S. § 2604.1(b), sets forth the elements a TNC must satisfy in order to acquire a license, and for maintaining a license to operate within the Commonwealth. Specifically, Section 2604.1(b)(10)(ii) of the Code, 66 Pa.C.S. § 2604.1(b)(10)(ii), states as follows:

(b) **Requirements.**—An application seeking a license under this section must do all of the following as a condition of receipt and maintenance of a license:

* * *

(10) Establish and maintain a publicly accessible Internet website that provides:

* * *

(ii) The telephone number to file a consumer complaint with the commission and the commission's Internet website address.

66 Pa.C.S. § 2604.1(b)(10)(ii).

B. SilverRide's Petition

The single-page Petition consists of the following: (1) four numbered paragraphs in response to the *November 2025 Secretarial Letter*; (2) a partial screenshot of a website; and, (3) a verification statement signed by "Morelsa Martinez," identified as the Regulatory Compliance, Manager of SilverRide.⁵ Petition at 1.

In its Petition, the Applicant requests that the Commission reconsider and reverse its decision denying and dismissing the Application in the *November 2025 Secretarial Letter*. Specifically, regarding the Commission's determination that the Applicant failed to comply with 66 Pa.C.S. §§ 2604.1(a)(3) and (b)(10)(ii), or failed to provide the Commission's consumer complaint contact information on its website, the Applicant asserts that it has corrected this deficiency. Petition at ¶¶ 1-3. More specifically, the Applicant explains that SilverRide's website now includes the requisite Commission consumer complaint telephone number and website address. Additionally, the Applicant provides a screenshot from SilverRide's website, which includes the following text: "**Pennsylvania** Call the Consumer Complaint Line by calling 1-800-692-7380. Or, you can learn more on the PUC website."⁶ *Id.* at ¶ 4 (emphasis in original).

⁵ As previously noted, "Jeff Maltz" signed SilverRide's Application. *See* Application at 5.

⁶ We note within the screenshot: (1) the word "website" in the provided text appears to be a hyperlink; and, (2) the address bar identifies the following web address: <https://silverride.com/report-an-incident/>. *See* Petition at 1.

C. Disposition

In considering the instant Petition, we note that we are not required to consider, expressly or at length, each and every contention raised by a party to our proceedings. *University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984). Any argument that is not specifically addressed herein shall be deemed to have been duly considered and denied without further discussion.

Based on our review of the Petition and the associated record documents, we shall grant the Petition. As discussed, *supra*, the *November 2025 Secretarial Letter* denied the Application because SilverRide failed to provide the Commission's telephone number to file a consumer complaint with the Commission, and the Commission's website address, as required by 66 Pa.C.S. § 2604.1(b)(10)(ii). *November 2025 Secretarial Letter* at 1.

On review of the Applicant's Petition, we find that the Applicant has provided information and documentation to address the deficiencies identified in the *November 2025 Secretarial Letter*. Regarding the determination that SilverRide failed to comply with 66 Pa.C.S. § 2604.1(b)(10)(ii), or failed to provide a telephone number to file a consumer complaint with the Commission and the Commission's website address, we note that a review of the documentation or screenshot of SilverRide's website provided by the Applicant clearly shows the telephone number to file a consumer complaint with the Commission and a link to the Commission's website. Additionally, we acknowledge that the Applicant has demonstrated a good faith effort to rectify the issues that led to the Application's dismissal by filing the instant Petition that includes the requisite documentation.

In light of SilverRide's attempt to provide the requisite documentation, as well as its willingness to cooperate, we conclude that, under the circumstances in this

case, it is appropriate and reasonable to rescind the *November 2025 Secretarial Letter* and refer this matter to TUS for consideration and for such further action as may be warranted, given TUS' expertise in reviewing TNSL applications for authority. Accordingly, we shall utilize the discretion afforded to the Commission in Section 1.2 of our Regulations, 52 Pa. Code § 1.2, and refer this matter to TUS to continue processing the Application.⁷ Such a referral will provide TUS with the opportunity to review the information and documentation provided with the Petition and to request any additional information or evidence from SilverRide, if necessary. In our view, given the procedural posture of this case, acknowledging the new considerations provided in the Petition and referring this matter to TUS for further consideration is a more efficient use of the Commission's and SilverRide's resources at this procedural stage of the proceeding.

Finally, we note that the Commission takes no position on the merits of SilverRide's Application at this time, solely noting that it is appropriate to refer this matter to TUS. Nonetheless, we encourage that this matter, and any impediments or deficiencies with SilverRide's Application, be resolved in a cooperative and expeditious manner, to ensure that SilverRide and its Application are compliant with the law, as well as the Commission's Regulations and Orders.

III. Conclusion

For the reasons discussed herein, we will: (1) grant SilverRide's Petition; (2) rescind the *November 2025 Secretarial Letter*; and, (3) refer this matter to TUS for such further action as may be deemed warranted, consistent with this Opinion and Order; **THEREFORE,**

⁷ Pursuant to 52 Pa. Code § 1.2, the Commission may exercise its discretion to secure the efficient resolution of a matter, so long as the substantive rights of other parties are not adversely affected.

IT IS ORDERED:

1. That the Petition for Reconsideration from Staff Action, filed by SilverRide, Inc., on November 5, 2025, at Docket No. A-2025-3058140, is granted, consistent with this Opinion and Order.

2. That the Secretarial Letter issued on November 3, 2025, at Docket No. A-2025-3058140, is rescinded, consistent with this Opinion and Order.

3. That this matter, at Docket No. A-2025-3058140, be referred to the Commission's Bureau of Technical Utility Services for such further action as may be deemed necessary, consistent with this Opinion and Order.

BY THE COMMISSION,



Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: December 4, 2025

ORDER ENTERED: December 4, 2025