



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

January 5, 2026

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Quentin Kurt West t/a Checker Premium Rideshare
Docket No. C-2025-3051758
I&E Exceptions

Dear Secretary Homsher:

Enclosed for electronic filing are the Exceptions of the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission in the above-referenced matter.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Samantha N. Barbush'.

Samantha N. Barbush
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 331654
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sbarbush@pa.gov

SNB/ac
Enclosures

cc: Per Certificate of Service
Administrative Law Judge Chad L. Allensworth (via email – callenswor@pa.gov)
Office of Special Assistants (via email – ra-OSA@pa.gov)
Allison C. Kaster, Chief Prosecutor (via email – akaster@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3051758
	:	
Quentin Kurt West	:	
t/a Checker Premium Rideshare	:	
Respondent	:	

**EXCEPTIONS OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

Samantha N. Barbush
Prosecutor
PA Attorney ID No. 331654

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 3W
Harrisburg, PA 17120

Date: January 5, 2026

I. INTRODUCTION

On December 16, 2025, the Initial Decision (“I.D.”) of presiding Administrative Law Judge Chad L. Allensworth (“ALJ”) was issued in the instant proceeding. The Initial Decision sustains the Formal Complaint filed on January 15, 2025, (“Complaint”) by the Commission’s Bureau of Investigation and Enforcement (“I&E”) but only assesses a nominal civil penalty. The Initial Decision orders:

1. That the Formal Complaint of the Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Quentin Kurt West t/a Checker Premium Rideshare at Docket No. C-2025-3051758 is sustained.
2. That Quentin Kurt West t/a Checker Premium Rideshare is assessed a civil penalty of \$200.00 for offering to transport passengers for compensation without authority or a certificate of public convenience from the Commission.
3. That, within thirty (30) days of the entry date of the Initial Decision, Quentin Kurt West t/a Checker Premium Rideshare shall remit \$200.00, payable by certified check or money order, to “Commonwealth of Pennsylvania” and sent to:

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

4. That Quentin Kurt West t/a Checker Premium Rideshare shall cease-and-desist from further violations of the Vehicle Code, 75 Pa.C.S. § 101, *et. seq.*, and the Public Utility Code, 66 Pa.C.S. § 101, *et. seq.*
5. That the Bureau of Administrative Services, Assessment Section shall monitor this matter for compliance.
6. That, if Quentin Kurt West t/a Checker Premium Rideshare fails to make the payment required by Ordering Paragraph No. 3, above, within thirty (30) days of the entry date of the Commission’s Order, the Commission

shall refer this matter to the Pennsylvania Office of Attorney General for collection of the total set forth above and appropriate action.

7. That, after Quentin Kurt West t/a Checker Premium Rideshare remits the \$200.00 as required by Ordering Paragraph No. 3, the Secretary's Bureau shall mark Docket No. C-2025-3051758 as closed.

These Exceptions are filed pursuant to 52 Pa. Code § 5.533. I&E does not take exception to the sustaining of the Complaint in and of itself and in fact believes that is the correct result. Rather, these Exceptions are filed based on the downward revision to the amount of the civil penalty imposed upon Respondent. As an alternative to the \$1,000 civil penalty requested by I&E, the ALJ imposed a nominal civil penalty of \$200, which I&E believes is inappropriate in consideration of the violation.

II. I&E EXCEPTIONS

The Initial Decision errs in its assessment of a nominal civil penalty of \$200.

For the reasons described in greater detail below, I&E respectfully submits that the record of the case does not support the nominal \$200 civil penalty assessed in this matter. Pursuant to Section 3310 of the Code, 66 Pa.C.S. § 3310, the Commission may impose a maximum civil penalty of \$1,000 per day for each violation of the Code, its regulations, or its orders. However, ten factors (“*Rosi* factors”), found at 52 Pa. Code § 69.1201, are to be applied in determining the amount of the civil penalty to assess. *Rosi v. Bell-Atlantic-Pa., Inc.*, 94 PUC 103 (Feb. 10, 2000).

The ALJ analysis of the *Rosi* factors failed to consider the Commission's overarching goal of safety as an aggravating factor in determining the civil penalty amount. I&E believes a nominal \$200 civil penalty is not tantamount to the

Commission's objective of ensuring carriers protect their passengers and other motorists on the roads within the Commonwealth, thereby protecting the public interest.

The following analysis of the *Rosi* factors details why a higher civil penalty is warranted in the instant case.

1. Whether the conduct at issue was of a serious nature.

The first *Rosi* factor, whether the conduct was of a serious nature, weighs in favor of a higher civil penalty. The ALJ found Respondent's conduct "of a serious nature due to the involvement of misrepresentation that [Respondent] was working under the auspices of [Uber]." I.D. at 21.

It is agreed that a higher civil penalty is warranted for Respondent's misrepresentation on October 16, 2024. However, I&E argues that Respondent was also on notice of the need for Commission authority to operate as a motor carrier prior to this Complaint.¹ I&E believes that the ALJ should have considered Respondent's prior instances of notice of the need for Commission authority.

I&E believes this factor weighs in favor of a higher civil penalty.

2. Whether the resulting consequences of the conduct at issue were of a serious nature.

The second *Rosi* factor, involving serious, resulting consequences due to Respondent's conduct, weighs in favor of a higher civil penalty. As noted by I&E and

¹ Respondent was issued a Warning Letter dated May 30, 2023, for conduct in January of 2023, to which Respondent agreed to transport a PUC Enforcement Officer for compensation without authority. I&E Exhibit 2. A Formal Complaint, docketed at C-2023-3043478, was filed November 17, 2023, alleging conduct in October of 2023, to which Respondent was operating without authority. The formal Complaint was withdrawn on March 1, 2024.

the ALJ, Respondent's conduct in offering to transport passengers in exchange for compensation without Commission authority on October 16, 2024, did not result in personal injury or property damage. The lack of serious harm in the instant case does not mean serious harm could not have occurred. Motor Carrier Safety Regulations exist to keep the public safe, and without the ability to enforce these safety regulations on an unregulated entity, the Commission is unable to ensure the safety of the public.

I&E notes, that due to the nature of Respondent being observed repeatedly offering to transport passengers and the potential that Respondent does in fact transport passengers under the guise of operating as a taxi, there is serious, continuing potential harm to passengers and motorists due to Respondent's conduct. The importance of each carrier to become certified is to ensure that each operator and their vehicle are safe for transporting passengers and when in contact with other motorists. As testified to by Public Utility Commission ("PUC") Motor Carrier Supervisor Ryan Balestra, ensuring such safety is accomplished by the requisite driver background checks and vehicle inspections conducted by PUC Enforcement Officers upon certificated carriers.

Transcript at 31-32.

I&E believes this factor weighs in favor of a higher civil penalty.

3. Whether the conduct at issue was deemed intentional or negligent.

The third *Rosi* factor, whether the conduct was intentional or negligent, weighs in favor of a higher civil penalty. The ALJ found that "the evidence supports that Respondent's actions were intentional and negligent." I.D. at 22. I&E further notes Respondent's intentional actions as Respondent had been given warning prior to October

16, 2024, to cease and desist operating without authority. Both the Warning Letter from May of 2023 and the Formal Complaint filed in November of 2023 placed Respondent on notice for the need to obtain and operate as a carrier under Commission authority.

I&E believes this factor weighs in favor of a higher civil penalty.

4. Whether the regulated entity made efforts to modify internal practices and procedures to address conduct at issue and prevent similar conduct in the future.

The fourth *Rosi* factor, whether Respondent took steps to correct the illegal conduct at issue and prevent similar future conduct, weighs in favor of a higher civil penalty. The ALJ found “no evidence that Respondent has made efforts to modify [Respondent’s] practice and procedure of offering to transport passengers in exchange for compensation without authority...” I.D. at 22. I&E, again, further notes Respondent’s continued practice of operating under the guise as a taxi after Respondent had been given prior warning in 2023 to cease and desist operating without authority. Respondent took no actions to apply for and obtain PUC authority to operate as a common carrier.

I&E believes that this factor weighs in favor of a higher civil penalty.

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

The fifth *Rosi* factor, including the number of customers affected and duration, weighs in favor of a higher civil penalty. The ALJ found no customers to be affected by the violation and the duration of the violation limited to the incident on October 16, 2024.

While I&E contends that the potential number of affected customers transported or agreed to be transported is unknown, I&E disagrees with the ALJ that the duration of the violation is limited to the incident on October 16, 2024. From the time Respondent was

issued the first Warning Letter and on notice of the violation in 2023 to October 16, 2024, fifteen months passed where Respondent took no action to obtain authority to operate as a taxi. However, in those fifteen months and not including the first incident which precipitated the Warning Letter, Respondent was observed and investigated by PUC Enforcement Officers on two additional occasions for operating without authority. It is unlikely that Respondent's illegal conduct was limited solely to the incidents observed and investigated by PUC's Enforcement Officers. While it is unknown how many times Respondent operated without authority in total during those fifteen months, what can be known is that for every instance that Respondent did so there was a threat to public health and safety because Respondent evaded the reach of Motor Carrier Safety Regulations protecting the public.

I&E believes this factor weighs in favor of a higher civil penalty.

6. The compliance history of the regulated entity which committed the violation.

The sixth *Rosi* factor, in evaluating Respondent's compliance history, weighs in favor of a higher penalty. The ALJ found that the Warning Letter issued to Respondent in May of 2023 provided notice of an alleged violation of operating without authority. The ALJ makes no mention of the withdrawn Complaint alleging the repeated violation occurring in October of 2023.

While there is no argument that the incidents concerning the issuance of the Warning Letter and the withdrawn Complaint did not conclude in the finding of the violation of operating without authority by an ALJ, it is clear that Respondent was on

notice of alleged illegal conduct since May of 2023. At no point up until October 16, 2024, did Respondent either stop offering to transport passengers for compensation without authority, as evidenced by the two incidents after the initial Warning Letter, or obtain authority.

I&E believes this factor weighs in favor of a higher civil penalty.

7. Whether the regulated entity cooperated with the Commission's investigation.

The seventh *Rosi* factor, concerning Respondent's cooperation with a Commission investigation, is a nonfactor as no Commission investigation was conducted.

8. The amount of the civil penalty or fine necessary to deter future violations.

The eighth *Rosi* factor, concerning the civil penalty amount to deter future violations, weighs in favor of a higher civil penalty. The ALJ concluded that \$200 is "reasonable and sufficient to deter future violations." I.D. at 23.

In consideration of Respondent's actions in willfully ignoring the Commission's command to cease and desist from operating without authority by continuing to offer to transport passengers for compensation and in failing to obtain such authority, a higher penalty is necessary to deter future violations. A \$200 civil penalty is not a deterrent to Respondent and at most would represent the cost of doing business. That nominal penalty amounts to no more than potentially a few fares that Respondent can earn while continuing to operate without authority. For reference, on October 16, 2024, Respondent quoted Officer Balestra a fare of \$25-30 for service. Transcript at 24. At that requested fare, Respondent would be able to pay a \$200 civil penalty by providing seven or eight

unauthorized rides, which could be realistically accomplished in one night in Allegheny County.

In fact, when compared to the costs to become certificated by the Commission, \$200 pales in comparison to the application fee for taxi authority, which currently costs \$350. Beyond the application fee, carriers are required to obtain and provide proof of insurance, which ensures safety for passengers and other motorists and protects public interest. Therefore, in weighing the cost of a \$200 civil penalty against the costs associated with becoming certificated, \$200 does not serve as deterrent for future violations. A \$200 civil penalty signals to unauthorized carriers to continue to operate illegally and, when caught by PUC's Enforcement Officers and found in violation by an ALJ, to simply pay the nominal fine and proceed operating illegally. Respondent has been observed by PUC's Enforcement Officers multiple times operating without authority prior to October 16, 2024, and it is unlikely that this \$200 civil penalty will deter future violations.

I&E believes that this factor weighs in favor of a higher civil penalty.

9. Past Commission decisions in similar situations.

The ninth *Rosi* factor, evaluation of precedential Commission decisions, weighs in favor of a higher of a civil penalty. The ALJ noted previously imposed civil penalties of \$100 and \$250 for violations of operating without authority. I.D. at 23. However, as discussed above, in consideration of the broad goal of ensuring passenger and motorist safety, a nominal civil penalty is not equivalent to the priceless objective of protecting those on the roads within the Commonwealth. Further, and demonstrated in this instant,

a nominal civil penalty consistent with prior Commission decisions will not deter repeated offenses threatening that objective of safety.

I&E believes this factor weighs in favor of a higher civil penalty.

10. Other relevant factors.

The tenth *Rosi* factor, whether any other relevant factors are applicable, is neutral in this matter, as neither the ALJ nor I&E proffered any additional factors.

III. CONCLUSION

For the reasons set forth above, I&E respectfully requests that the Commission adopt the Initial Decision's ultimate conclusion sustaining I&E's Formal Complaint but set aside the Initial Decision's nominal civil penalty and assess a \$1,000 civil penalty.

Respectfully submitted,



Samantha N. Barbush
Prosecutor
PA Attorney I.D. No. 331654

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Date: January 5, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

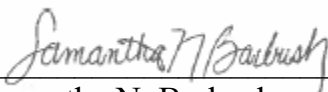
Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3051758
	:	
Quentin Kurt West	:	
t/a Checker Premium Rideshare	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Exceptions of the Bureau of Investigation and Enforcement** dated January 5, 2026, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via First-Class and Electronic Mail

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