

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

Public Meeting held January 15, 2026

Commissioners Present:

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

Application of Tade Line LLC

A-2025-3058409

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Letter Petition for Reconsideration from Staff Action (Petition), filed on November 13, 2025, by Tade Line LLC (Applicant or Tade Line), relative to the above-captioned proceeding. The Secretarial Letter to which the Petition refers was issued on November 12, 2025 (*November 2025 Secretarial Letter*).¹ No Answer to the Petition has been filed.

For the reasons set forth herein, we shall grant the Petition, conditionally rescind the *November 2025 Secretarial Letter*, and refer this matter to the Commission's

¹ Because the instant Petition challenges the action taken in the *November 2025 Secretarial Letter* and was filed within twenty days of the issuance of the Secretarial Letter, we shall regard the Petition as a Petition for Reconsideration from Staff Action pursuant to 52 Pa. Code § 5.44(a).

Bureau of Technical Utility Services (TUS) for such further action as may be deemed necessary, consistent with this Opinion and Order.

I. History of the Proceeding

On October 29, 2025, Tade Line filed an application (Application) seeking approval for the right to operate as a motor common carrier of persons in airport transfer service that originate from points in Philadelphia County to the Philadelphia airport, and return. Application at 3.

On November 12, 2025, the Commission issued a Secretarial Letter (*November 2025 Secretarial Letter*) wherein it denied and dismissed the Application of Tade Line for failure of the Applicant to establish fitness to operate. In pertinent part, the *November 2025 Secretarial Letter* stated, as follows:

On November 10, 2025, the application of Tade Line, LLC was accepted by the Commission for consideration of the approval for airport transfer rights. In reviewing the financial information presented by the applicant it has been determined that the applicant lacks adequate financial fitness to render safe, efficient, and reasonable transportation.

The applicant's undated statement, submitted on October 29, 2025, indicates a cash balance of \$200, no additional assets, and current liabilities approximating \$11,640. As of the time of filing, the applicant indicates that it does not possess a vehicle for rendering the proposed service and it does not indicate that it has pre-paid insurance downpayments or premiums. These presented factors indicate a significant lack of the necessary financial liquidity that will be required to purchase, maintain, and insure vehicles for service.

For these reasons the application remains DISMISSED and DENIED.

In addition, the *November 2025 Secretarial Letter* stated that if Tade Line did not agree with the Commission's determination, it could submit a Petition for Reconsideration with the Commission's Secretary within twenty (20) days of the date of the *November 2025 Secretarial Letter*. The *November 2025 Secretarial Letter* outlined instructions regarding the form and content of such a Petition, including references to the inclusion of relevant documentation and verification with an original signature, as set forth in 52 Pa. Code §§ 1.31 and 5.44. Further, the *November 2025 Secretarial Letter* provided the Applicant with a sample verification statement. *November 2025 Secretarial Letter* at 1-2.

On November 13, 2025, Tade Line filed the instant Petition in response to the *November 2025 Secretarial Letter*. No response to the Petition has been filed.

II. Discussion

A. Legal Standards

Before us is a Petition for Reconsideration from Staff Action, pursuant to 52 Pa. Code § 5.44(a). Petitions for Reconsideration from Staff Action are governed by Section 5.44(a) of 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).

In considering the appeal from Staff Action, the Application and compliance with Commission Regulations, Section 332(a) of the Public Utility Code (Code), 66 Pa.C.S. § 332(a), provides that the party seeking affirmative relief from the Commission has the burden of proof. In this proceeding, the Applicant is the party seeking affirmative relief from the Commission. Therefore, the Applicant 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) (citing *Se-Ling Hosiery, Inc. v. Margulies*, 364 Pa. 45, 70 A.2d 854 (1950)).

In *Se-Ling Hosiery v. Margulies, 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. *Application of 610 Hauling, LLC, t/a College Hunks Hauling Junk, supra*, citing *Norfolk & Western Railway Co. v. Pa. PUC*, 489 Pa. 109, 413 A.2d 1037 (1980); *Murphy v. Pa. Dept. of Public Welfare, White Haven Center*, 480 A.2d 382 (Pa. Cmwlth. 1984).

Additionally, pursuant to Section 1103(a) of the Code, 66 Pa.C.S. § 1103(a), an application for a certificate of public convenience should be granted only if the Commission finds that “the granting of such certificate is necessary or proper for the

service, accommodation, convenience or safety of the public.” In order to make these determinations, the Commission’s Regulations, at 52 Pa. Code §§ 3.381-85, and the Commission’s Policy Statement, at 52 Pa. Code § 41.14, establish the evidentiary guidelines and criteria to be examined by the Commission when considering whether to grant or deny an application for authority.

The Commission’s Policy Statement at 52 Pa. Code § 41.14 provides as follows:

§ 41.14. Evidentiary criteria used to decide motor common carrier applications – statement of policy.

An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable.

- (1) Whether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory request.
- (2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested.
- (3) Whether an applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public. Whether an applicant has an appropriate plan to comply with the Commission’s driver and vehicle safety regulations and service standards in Chapter 29 (relating to motor carriers of passengers).

(4) An applicant's record, if any, of compliance with 66 Pa. C.S. (relating to Public Utility Code), this title and the Commission's orders.

(5) Whether an applicant or its drivers have been convicted of a felony crime of moral turpitude and remains subject to supervision by a court or correctional institution.

(6) Whether an applicant or its drivers have been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution.

52 Pa. Code § 41.14.

B. Petition

In its Petition, the Applicant seeks reconsideration of the *November 2025 Secretarial Letter*. Tade Line asserts that the financial statement that was submitted along with the Application was not properly completed. In this regard, the Applicant represents that it omitted current assets, including its vehicle, and other tangible assets outlining the possession of necessary equipment including, *inter alia*, a camera, dash cam, and mobile phone. Tade Line also provided a revised Balance Sheet showing its total assets of \$20,614.95 and liabilities of \$11,640. The Applicant attached to its Petition, a printout of a purchase agreement for a 2019 Hyundai Tucson van with a cash price of \$17,675, and insurance quotes from Progressive Insurance Company for the vehicle it will be using for the business. Petition at 1-13.

C. Disposition

In considering the Petition, 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 duly considered and denied without further discussion.

Based on our review of the Applicant's Petition and the associated case documents, we will grant the Petition. Pursuant to Section 1.2 of the Regulations, 52 Pa. Code §§1.2 (a)-(b), the Commission may exercise its discretion to overlook an error of procedure where necessary to secure the efficient resolution of a matter, so long as the substantive rights of other parties are not adversely affected. The Applicant has provided additional information regarding certain financial and asset information, along with insurance quotes with its Petition. More specifically, the Applicant corrected and provided a revised Balance Sheet to include all of its assets, along with a printout of purchase agreement for a 2019 Hyundai Tucson van with cash price of \$17,675. In addition, the applicant provided printouts of insurance quotes from Progressive Insurance Company for the vehicle it will be using for the business.

Therefore, we conclude that, under the circumstances in this case, it is appropriate and reasonable to rescind the *November 2025 Secretarial Letter* and to refer this matter to TUS for consideration and for such further action as may be warranted, given TUS' expertise in reviewing motor carrier applications for authority. Accordingly, we shall refer this matter to TUS to continue processing the Application and shall allow Tade Line an additional thirty (30) days in which to provide the required information. 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 Tade Line's resources at this stage of the proceeding.

The Commission takes no position on the merits of Tade's Application at this time, but solely notes that it is appropriate to refer this matter to TUS based on the

responsive filing. We encourage that this matter, and any impediments or deficiencies with the Application, be resolved in a cooperative and expeditious manner to ensure that the Applicant and its Application are compliant with applicable law as well as Commission Regulations and Orders.

III. Conclusion

For the reasons discussed herein, we will: (1) grant the Petition; (2) conditionally 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,**

IT IS ORDERED:

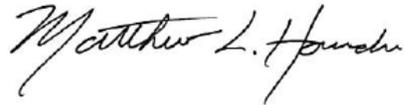
1. That the Petition for Reconsideration from Staff Action filed by Tade Line LLC on November 13, 2025, at Docket No. A-2025-3058409 is granted, consistent with this Opinion and Order.

2. That the Secretarial Letter, issued on November 13, 2025, is conditionally rescinded, contingent upon Tade Line LLC providing the required information, as set forth in this Opinion and Order, within thirty (30) days of the entry date of this Opinion and Order.

3. That the Application of Tade Line LLC at Docket No. A-2025-3058409, is 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.

4. That should Tade Line LLC, not respond within thirty (30) days of the entry date of this Opinion and Order as set forth in Ordering Paragraph No. 2 above, the Secretarial Letter issued on November 12, 2025, at Docket No. A-2025-3058409, shall be the Commission's final action in this proceeding, and the case will be closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: January 15, 2026

ORDER ENTERED: January 15, 2026