

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

Public Meeting held February 19, 2026

Commissioners Present:

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

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement

C-2025-3051758

v.

Quentin Kurt West t/a Checker Premium Rideshare

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are the Exceptions filed by the Commission's Bureau of Investigation and Enforcement (I&E or Complainant) on January 5, 2026, to the Initial Decision (I.D.) of Administrative Law Judge (ALJ) Chad L. Allensworth, issued on December 16, 2025, in the above-captioned matter. Quentin Kurt West t/a Checker Premium Rideshare (Mr. West or Respondent) did not file Replies to Exceptions in this matter. Upon consideration of the Exceptions, we shall grant them, in part, and

deny them, in part, and modify the Initial Decision, consistent with this Opinion and Order.

### **I. History of Proceeding**

On January 15, 2025, I&E filed a Formal Complaint (Complaint) against Mr. West. In the Complaint, I&E alleged that Mr. West was: (1) operating a motor vehicle with a yellow roof light with the word “available” on his vehicle; and (2) operating a vehicle for the purpose of transporting passengers for compensation without authority or a certificate of public convenience from the Commission in violation of Sections 1101 and 3310 of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. §§ 1101, 3310. As relief, I&E sought the imposition of a civil penalty in the amount of \$1,000 and suspension of the vehicle registration by the Pennsylvania Department of Transportation. Complaint at 2.

On January 22, 2025, Mr. West filed an Answer<sup>1</sup> denying the material averments of the Complaint. Answer at 1.

A telephonic hearing was convened on September 9, 2025. I&E was represented by counsel, who presented the testimony of two witnesses, who sponsored two I&E exhibits, which were admitted into evidence. Also, official notice was taken of a prior Formal Complaint with this Respondent in the matter of *Pa. PUC, Bureau of Investigation and Enforcement v. Quentin Kurt West*, Docket No. C-2023-3043478.<sup>2</sup> Mr. West appeared *pro se*, testified on behalf of himself, and sponsored two exhibits, which were admitted into evidence. I.D. at 3.

---

<sup>1</sup> Mr. West filed his Answer in letter format with no enumerated paragraphs.

<sup>2</sup> The ALJ noted that I&E withdrew the Formal Complaint filed in that matter and the case was closed before assignment to the Office of Administrative Law Judge. I.D. at 3, n.3 (citing Tr. at 32).

The record closed on September 29, 2025, upon the filing of the 82-page hearing transcript with the Commission. I.D. at 3.

The Initial Decision of ALJ Allensworth was issued by the Commission on December 16, 2025. Therein, the ALJ sustained the Complaint and imposed a civil penalty of \$200.00 on the Respondent. I.D. at 1, 18-19, 23, 25.

According to the Commission's docket management system, InfoMAP, Mr. West submitted a \$200 money order to the Commission on December 23, 2025.

As noted, *supra*, I&E filed Exceptions to the Initial Decision on January 5, 2026. No Replies to Exceptions have been filed.

## **II. Background**

On October 16, 2024, two I&E enforcement officers observed Mr. West operating a red 2020 Nissan Maxima outside of a casino and near a concert venue. The vehicle displayed a roof/dome light that read "Uber" and "available," and the side of the vehicle read "Checker Premium Rideshare." The vehicle had neither any visible transportation network company/carrier (TNC) decals, nor an Uber<sup>3</sup> light visible in the front window. I.D. at 4-5, Findings of Fact (FOF) 6-10 (citing Tr. at 14-15, 24, 26-27, 34; I&E Exh. 1).

On that same date, one of the enforcement officers approached Mr. West and solicited a ride from Stage AE of the concert area to the Hofbräuhaus, both of which are in Allegheny County. Mr. West quoted a meter price of approximately \$25 to \$30 for the proposed ride. No meter, which is typically located in the front near the radio area,

---

<sup>3</sup> Uber is a registered TNC. I.D. at 5, FOF 10 (citing Tr. at 68).

appeared on the Respondent's vehicle, nor is the Respondent approved for a soft meter, which would be on a phone or tablet. The roof/dome light, which signals that the vehicle is available for pick-up in the taxi business, was lit up at the time the enforcement officer spoke with Mr. West. I.D. at 5-6, FOF 12-18 (citing Tr. at 19-20, 24-26, 34-36).

During the conversation with the enforcement officer, Mr. West did not: (1) advise that he was a TNC driver or waiting for another passenger; (2) request that a TNC rideshare app be used to request transport (the enforcement officer was not logged in to a rideshare app); (3) advise that the quoted prices of \$25 to \$30 were based on a rideshare app; and (4) accept the trip or any payment from the enforcement officer. Neither of the enforcement officers rode with Mr. West to the proposed location in exchange for compensation, because that is against Commission policy, and Mr. West was not cited or fined on October 16, 2024. I.D. at 6-7, FOF 19-24 (citing Tr. at 20, 26-27, 34-35).

Mr. West is an Uber driver, and he has been on the Uber app for approximately nine years as an active driver; however, Checker Premium Rideshare is not registered on Uber. Mr. West has a light on his car, which is not provided by Uber, that indicates "Uber available" to make himself visible to customers. Mr. West previously had a light on his car that indicated "Checker available." Checker Premium Rideshare is a brand name that Mr. West uses for marketing purposes, but it is not registered as a TNC in Pennsylvania. Although Mr. West's vehicle does not say "taxi" anywhere on it, the vehicle depicts a photo of a standard taxi on the Checker Premium Rideshare decal. Furthermore, Mr. West's vehicle has stickers that say "premium ride share;" however, there are no visible Uber decals or stickers on the front or back windows. I.D. at 7-8, FOF 28-40 (citing Tr. at 39-40, 42, 51-52, 54-57, 60-62, 67; Respondent's Exhs. A, B; I&E Exh. 1).

At the hearing in this matter, Mr. West, who was not acting as an Uber driver during his meeting with the enforcement officers, admitted that he had an illuminated light on the top of his vehicle on October 16, 2024, which violated the Code. In addition, Mr. West has never received authorization from the Commission to transport passengers for compensation. Mr. West was, however, issued cease-and-desist letters on two occasions advising him that he needs a certificate or authority from the Commission to transport passengers for compensation, including: (1) on May 30, 2023, for an incident on January 3, 2023; and (2) for the incident on October 16, 2024, described above. I.D. at 7, 9, FOF 25-27, 43-44 (citing Tr. at 13-62, 69-70; I&E Exh. 2).

### **III. Discussion**

#### **A. Legal Standards**

##### **1. Jurisdiction and Authority**

Section 501 of the 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. *See* 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, or any regulation or order of the Commission. *See* 66 Pa.C.S. § 701. Specifically, Section 701 of the Code, states, in relevant part:

The Commission, or any person ... having an interest in the subject matter ... may complain in writing, setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission.

66 Pa.C.S. § 701.

In addition, for any person or entity that would like to offer, render, furnish, or supply transportation services to the public by vehicle operation, in call or demand service, for compensation, must first obtain a Certificate of Public Convenience.

*See* 66 Pa.C.S. §§ 102, 1101-1103. Furthermore, 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.

*See* 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.

*See* 66 Pa.C.S. § 308.2(a)(11). Section 3310 of the Code provides the Commission with the authority to hear and determine complaints for unauthorized operation by motor carriers. *See* 66 Pa.C.S. § 3310. Section 3310 of the Code 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).

## **2. Burden of Proof**

Pursuant to Section 332(a) of the Code, the proponent of a rule or order, bears the burden of proof. 66 Pa.C.S. §332(a). To satisfy the burden of proof, I&E, as the party seeking relief, must establish a sufficient case that Mr. West is responsible or

accountable for the problem described in the Complaint. *Patterson v. The Bell Telephone Company of Pennsylvania*, 72 Pa. P.U.C. 196 (1990). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. denied*, 602 A.2d 863 (Pa. 1992). That is, I&E's evidence must be more convincing, by even the smallest amount, than the evidence presented by Mr. West. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854 (Pa. 1950). Additionally, this Commission's decisions must be supported by substantial evidence in the record. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & West Ry. Co. v. Pa. PUC*, 413 A.2d 1037 (Pa. 1980).

Upon presentation by I&E of sufficient evidence to initially satisfy the burden of proof, the evidentiary burden shifts to Mr. West to present persuasive evidence rebutting that of I&E. If Mr. West's evidence is of co-equal value or weight, I&E has not satisfied its burden of proof, and it must provide some additional evidence to rebut that of Mr. West. *Burleson v. Pa. PUC*, 443 A.2d 1373 (Pa. Cmwlth. 1982), *aff'd*, 461 A.2d 1234 (Pa. 1983). While the evidentiary burden of persuasion may shift back and forth during a proceeding, the burden of proof never shifts. The burden of proof always remains on the party seeking affirmative relief from the Commission to prove its case by a preponderance of the evidence. *Milkie v. Pa. PUC*, 768 A.2d 1217 (Pa. Cmwlth. 2001).

### **3. Civil Penalties**

Section 3301(a) and (b) of the Code authorize the Commission to impose a maximum civil penalty of \$1,000 per day for violations of its statute. 66 Pa.C.S. § 3301(a), (b). Under 52 Pa. Code § 69.1201, the following factors and standards are

considered when evaluating whether and to what extent the imposition of a civil penalty 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(c).<sup>4</sup>

## **B. Initial Decision**

In the Initial Decision, ALJ Allensworth made forty-four (44) Findings of Fact and reached eleven (11) Conclusions of Law (COL). I.D. at 4-9, 23-25. The Findings of Fact and Conclusions of Law are incorporated herein by reference and adopted without comment unless they are either expressly or by necessary implication rejected or modified by this Opinion and Order.

In his Initial Decision, the ALJ sustained the Complaint and imposed a \$200 civil penalty on Mr. West. I.D. at 1, 18-19, 25. First, the ALJ found that the testimony of the two I&E enforcement officers regarding the roof/dome light on Mr. West's vehicle was credible and due appropriate weight. Based upon the I&E witnesses' testimony and Mr. West's response, the ALJ determined that it is uncontested

---

<sup>4</sup> The Commission Regulations governing the factors and standards applicable to a determination whether to impose a civil penalty are commonly known as the "*Rosi* factors," having been developed in *Rosi v. Bell Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Opinion and Order entered February 10, 2000) (*Rosi*).

that Mr. West was operating his vehicle on October 16, 2024, outside of a casino and near a concert venue with an illuminated roof/dome light that stated “UBER” in smaller print and “available” in larger print. Furthermore, the ALJ concluded that Mr. West violated Section 4307 of the Vehicle Code, 75 Pa.C.S. § 4307, by having an illuminated sign on the roof of his vehicle on October 16, 2024. As a result, the ALJ ordered Mr. West to cease-and-desist from further violations because the Commission has no authority to impose a civil penalty for a violation of the Vehicle Code. I.D. at 14-16, 26.

Next, the ALJ concluded that I&E met its burden of proving that Mr. West offered to transport a passenger on October 16, 2024, in exchange for compensation without a certificate or authority from the Commission. Moreover, although the ALJ found Mr. West’s testimony that he is registered as an Uber driver to be credible, the ALJ also found that Mr. West failed to successfully rebut I&E’s evidence that Mr. West was acting outside of his role as an Uber driver on October 16, 2024. Therefore, the ALJ concluded that Mr. West violated Sections 1101 and 3310 of the Code, 66 Pa.C.S. §§ 1101, 3310, when he offered to transport passengers in exchange for compensation on October 16, 2024, without authority or a Certificate of Public Convenience from the Commission. I.D. at 16-19, 24. Based upon the ALJ’s application of 66 Pa.C.S. § 3301 and his analysis of the *Rosi* factors, set forth at 52 Pa. Code § 69.1201, the ALJ determined that a civil penalty of \$200 is warranted for Mr. West’s violation of 66 Pa.C.S. §§ 1101 and 3310. *Id.* at 19-23, 25.

### **C. I&E’s Exceptions**

I&E states that it is not taking exception to the ALJ’s decision to sustain the Complaint, as it believes that is the correct result. However, I&E argues that the ALJ erred in imposing a civil penalty in the amount of \$200 rather than a civil penalty of \$1,000, as requested by I&E. Exc. at 2. In arguing for a higher penalty, I&E reviews the *Rosi* factors and avers why a higher civil penalty is warranted in the instant case.

I&E agrees with the ALJ that the first *Rosi* factor, *i.e.*, whether the conduct at issue was of a serious nature, weighs in favor of a higher civil penalty due to Mr. West's misrepresentation on October 16, 2024. However, I&E argues that the ALJ should have also considered Mr. West's prior instances of notice of the need for Commission authority to operate as a motor carrier, warranting a higher civil penalty. Exc. at 3.

With respect to the second *Rosi* factor, *i.e.*, whether the resulting consequences of the conduct at issue were of a serious nature, I&E argues that this factor weighs in favor of a higher civil penalty. I&E states that, due to Mr. West being observed repeatedly offering to transport passengers, along with the potential that he does transport passengers under the guise of operating as a taxi, a serious, continuing potential harm to passengers and motorists exists due to this conduct. I&E refers to a Warning Letter dated May 30, 2023, issued by I&E to Mr. West for conduct in January of 2023, and a Formal Complaint, docketed at C-2023-3043478 and filed on November 17, 2023, alleging that Mr. West was operating without authority in October of 2023, which was later withdrawn, as examples of such repeated offenses. I&E avers that the lack of serious harm in this instance does not mean serious harm could not have occurred. Exc. at 3-4.

Turning to the third *Rosi* factor, *i.e.*, whether the conduct at issue was deemed intentional or negligent, I&E submits that Mr. West's actions were both intentional and negligent. I&E argues that the prior Warning Letter in May of 2023 and the Formal Complaint in November of 2023 placed Mr. West on notice of the need to obtain Commission authority to operate as a motor carrier. Consequently, I&E avers that this factor weighs in favor of a higher civil penalty. Exc. at 4-5.

Regarding the fourth *Rosi* factor, *i.e.*, 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, I&E contends that this factor weighs in favor of a higher civil penalty because there was no evidence that Mr. West made efforts to modify his practice of offering to transport passengers in exchange for compensation, without authority. Moreover, I&E notes that Mr. West continued to operate in this manner without applying for and obtaining Commission authority to operate as a motor carrier, even after receiving a prior warning in 2023 to cease-and-desist operating without authority. Exc. at 5.

I&E argues that the fifth *Rosi* factor, *i.e.*, the number of customers affected and the duration of violation, warrants a higher civil penalty. Although the ALJ found that no customers were affected by Mr. West's violation, and the duration of the violation was limited to the incident on October 16, 2024, I&E avers that the potential number of affected customers transported, or agreed to be transported, is unknown. Also, I&E disagrees that the duration of the violation is limited to the incident on October 16, 2024, because Mr. West was previously issued a Warning Letter fifteen months earlier in 2023, and he failed to take any action to obtain Commission authority to operate as a taxi. I&E believes that it is unlikely that Mr. West's illegal conduct was limited solely to the incidents observed and investigated by I&E's enforcement officers, and stresses that any instance where Mr. West may have acted in this matter would have included a threat to public health and safety. Exc. at 5-6.

Next, I&E addresses the sixth *Rosi* factor, *i.e.*, the compliance history of the regulated entity which committed the violation. I&E notes that the incidents concerning the Warning Letter and the withdrawn Formal Complaint, both of which occurred in 2023, did not conclude in the official finding of the violation of operating without authority. However, I&E contends that Mr. West was on notice of such alleged illegal conduct since May of 2023, and at no point until October 16, 2024, did Mr. West stop offering to transport passengers for compensation without authority or obtain authority. I&E states that this factor weighs in favor of a higher civil penalty. Exc. at 6-7.

Regarding the seventh *Rosi* factor, *i.e.*, whether the regulated entity cooperated with the Commission's investigation, I&E states that it is a nonfactor because no Commission investigation was conducted. Exc. at 7.

I&E argues that the eighth *Rosi* factor, *i.e.*, the amount of the civil penalty or fine necessary to deter future violations, warrants a higher civil penalty than the \$200 civil penalty imposed by the ALJ. I&E avers that Mr. West's actions in willfully ignoring the Commission's directive to cease-and-desist from operating without authority by continuing to offer to transport passengers for compensation, and in failing to obtain such authority, necessitate a higher penalty to deter future violations. I&E contends that a \$200 penalty amounts to no more than a few fares that Mr. West can earn while continuing to operate without authority. As such, I&E submits that a \$200 penalty does not serve as a deterrent for future violations, but rather, signals to unauthorized carriers to continue to operate illegally and, when caught and found to be in violation, to simply pay the nominal fine and proceed operating illegally. Exc. at 7-8.

With respect to the ninth *Rosi* factor, *i.e.*, past Commission decisions in similar situations, I&E argues that, in consideration of the goal of ensuring passenger and motorist safety, a nominal civil penalty is not equivalent to the objective of protecting the public on the Commonwealth's roads and will not deter repeated offenses. Accordingly, I&E submits that this factor warrants a higher civil penalty. Exc. at 8-9.

Finally, I&E states that the tenth *Rosi* factor, *i.e.*, whether other relevant factors are applicable, is neutral in this matter, because neither the ALJ nor I&E proffered any additional factors. Exc. at 9.

I&E requests that the Commission adopt the ALJ's ultimate conclusion in the Initial Decision sustaining the Complaint. However, based on its arguments described above, I&E further requests that the Commission revise the Initial Decision by

imposing a civil penalty of \$1,000, rather than the \$200 civil penalty assessed by the ALJ. Exc. at 9.

#### **D. Disposition**

At the outset, we advise the Parties that any issue or argument that we do not specifically address shall be deemed to have been duly considered and denied without further discussion. The Commission is not required to consider, expressly or at length, each contention or argument raised by the parties. *Consl. Rail Corp. v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993); *see also, generally, Univ. of Pa. v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).<sup>5</sup>

Turning to I&E's Exceptions, the only matter in dispute here is the amount of the civil penalty to be imposed upon Mr. West for his conduct in violation of Sections 1101 and 3310 of the Code, 66 Pa.C.S. §§ 1101, 3310, discussed, *supra*. Based upon our review of its Exceptions, I&E disagrees with the ALJ's application of certain of the *Rosi* factors at 52 Pa. Code §69.1201.<sup>6</sup> We note that, as the ultimate finder of fact, the Commission has the authority to determine if the public interest will be served by the imposition of a civil penalty and the amount thereof. Therefore, we will undertake an

---

<sup>5</sup> *See also Metropolitan Edison Co. v. Pa. PUC*, 22 A.3d 353 (Pa. Cmwlth. 2011), *appeal denied*, 22 A.3d 353 (Pa. 2012) (citing *Wheeling & Lake Erie Railway Company v. Pa. PUC*, 778 A.2d 785, 794 (Pa. Cmwlth. 2001) for the proposition that the Commission is not required to expressly consider all of the arguments set forth by the parties in its Order).

<sup>6</sup> I&E has been encouraged in previous proceedings to fully utilize procedural mechanisms in enforcement proceedings for the submission of record evidence and presentation of argument in support of explicitly requested relief such as the requested amount of a civil penalty. *See Pa. PUC, Bureau of Investigation and Enforcement v. J J Serafin, Inc. t/a AAAA Limo & AAA Transit*, Docket No. C-2024-3049873 (Opinion and Order entered August 14, 2025). We note that, in the instant proceeding, I&E provided an analysis of the *Rosi* factors and requested that the ALJ impose a civil penalty of \$1,000 in its closing argument at the hearing. Tr. at 72-78.

analysis here of the *Rosi* factors and base our conclusions on the record as a whole and in our judgement as the ultimate finder of fact.<sup>7</sup>

Before we begin, we note that I&E, in analyzing the *Rosi* factors in its Exceptions, appears to disagree with the ALJ's application in the Initial Decision of several of those factors, while also agreeing with the application of some of the factors. Specifically, I&E appears to agree with the ALJ's analysis that weighed the first, third, and fourth *Rosi* factors in favor of a higher civil penalty.<sup>8</sup> Also, I&E does not dispute the ALJ's conclusions that the seventh *Rosi* factor is a non-factor in the instant proceeding, and that the tenth *Rosi* factor is neutral in this matter.<sup>9</sup> Consequently, I&E only takes exception to the ALJ's application of the second, fifth, sixth, eighth, and ninth *Rosi* factors in the Initial Decision, and his conclusion that those factors warranted a lower civil penalty.<sup>10</sup> *See* Exc. at 3-9. We agree with the ALJ's determination and I&E's position that the application of the first, third, and fourth *Rosi* factors weigh in favor of a higher civil penalty. Therefore, we will limit our analysis and discussion herein only to

---

<sup>7</sup> On review of an initial decision, the Commission has all of the powers which it would have in making the initial decision. 66 Pa.C.S. § 335(a). The Commission is the ultimate fact finder in proceedings before it and is charged with the responsibility of considering all relevant evidence and of determining the weight of the evidence, the credibility of witnesses, and the reliability of estimates and opinions. *Hess v. Pa. PUC*, 107 A.3d 246 (Pa. Cmwlth. 2014); *Pennsylvania Communities Organizing for Change, Inc. v. Pa. PUC*, 89 A.3d 338 (Pa. Cmwlth. 2014); *York Water Company v. Pa. PUC*, 414 A.2d 138 (Pa. Cmwlth. 1980).

The Commission may review the initial decision in its entirety without limit. *Romero v. Pa. PUC*, 154 A.3d 422 (Pa. Cmwlth. 2017). In fact, the Commission has full authority to disregard the initial decision of the administrative law judge and overrule it if the Commission reaches a contrary result, even where the initial decision is eminently reasonable. *AT&T Comms. of Pennsylvania v. Pa. PUC*, 568 A.2d 1362 (Pa. Cmwlth. 1990) citing *East Goshen Township v. Pa. PUC*, 486 A.2d 550 (Pa. Cmwlth. 1985).

<sup>8</sup> *See* 52 Pa. Code § 69.1201(c)(1), (3), (4).

<sup>9</sup> *See* 52 Pa. Code § 69.1201(c)(7), (10).

<sup>10</sup> *See* 52 Pa. Code § 69.1201(c)(2), (5), (6), (8), (9).

the application of the balance of the *Rosi* factors that are in dispute pursuant to I&E's Exceptions.

With respect to the second *Rosi* factor, *i.e.*, whether resulting consequences of the conduct at issue were of a serious nature and resulted in damage to persons or property, 52 Pa. Code § 69.1201(c)(2), the ALJ found that this factor supported a lower penalty because Mr. West's conduct in offering to transport passengers in exchange for compensation without Commission authority did not result in personal injury or property damage. I.D. at 22. I&E, on the other hand, argues that the lack of serious harm does not mean serious harm could not have occurred. Inasmuch as Mr. West has been observed repeatedly offering to transport passengers, and because of the potential that the Respondent does transport passengers under the guise of operating as a taxi, I&E avers that serious potential harm to passengers and motorists does exist. As a result, I&E believes that this factor warrants a higher civil penalty. Exc. at 4.

Upon review, there is no evidence of personal injury or property damage as a result of Mr. West's conduct on October 16, 2024. We recognize that the Respondent's failure to obtain the required operating authority from the Commission prior to providing taxi service may deprive the Commission from fulfilling its duty to protect public safety. However, we find that consideration of the record evidence in applying this factor in this matter weighs in favor of a lesser penalty.

Turning to the fifth *Rosi* factor, *i.e.*, the number of customers affected and the duration of the violation, 52 Pa. Code § 69.1201(c)(5), the ALJ concluded that there is no evidence that other customers were affected by Mr. West's violation, and the evidence supports the duration of the violation being one day, October 16, 2024, which weighs in favor of a lower civil penalty. I.D. at 22. I&E argues that the potential number of affected customers is unknown, and the duration of the violation is not limited to October 16, 2024. I&E states that it is unlikely that Mr. West's illegal conduct was

limited solely to two occasions for operating without authority during the fifteen months that elapsed between the Warning Letter issued to Mr. West in 2023 and the incident of October 16, 2024, at issue here. I&E contends that there was a threat to public health and safety for every instance that Mr. West may have operated without authority during that time, warranting a higher civil penalty. Exc. at 5-6.

In addressing this factor, we agree with the ALJ's finding that there is no evidence that other customers were affected by Mr. West's violation on October 16, 2024. Therefore, we determine that this factor does not merit a greater penalty.

Next, under the sixth *Rosi* factor, the Respondent's compliance history needs to be considered. 52 Pa. Code § 69.1201(c)(6). The ALJ noted that there is evidence that Mr. West received a warning for similar behavior in 2023; however, there is no evidence to substantiate a prior violation or negative compliance history, nor show that the instant incident was more than an isolated one, weighing in favor of a lower civil penalty. I.D. at 22. To the contrary, I&E submits that a higher civil penalty is warranted because Mr. West was on notice of alleged illegal conduct since May of 2023, based on the Warning Letter and withdrawn Formal Complaint of 2023, after which he did not stop offering to transport passengers without Commission authority or obtain authority, evidence by two incidents that occurred after the Warning Letter was issued in 2023. Exc. at 6-7.

Upon review, we note that this factor focuses on historical behavior at the Commission, not the conduct which formed the basis for the enforcement action in the first place. The record evidence showed that Mr. West had a prior history with the Commission before the occurrence that resulted in the instant Complaint. After receiving the Warning Letter, as well as being subject to a Formal Complaint that was ultimately withdrawn, both occurring in 2023, Mr. West was on notice that continuing such actions

in the future could constitute a violation of the Code. As evidenced by the incident on October 16, 2024, and the subject of the instant Complaint, it is clear that Mr. West neither sought nor obtained a Certificate of Public Convenience from the Commission for authority to operate, yet still offered to transport passengers in exchange for compensation without the necessary Commission authority. Thus, we find that this historical behavior of Mr. West weighs in favor of a higher civil penalty.

Regarding the eighth *Rosi* factor, *i.e.*, the amount of the civil penalty necessary to deter future violations, 52 Pa. Code § 69.1201(c)(8), the ALJ found that a civil penalty of \$200 is reasonable and sufficient to deter future violations, rather than the \$1,000 civil penalty recommended by I&E. I&E disagrees, highlighting that Mr. West willfully ignored the Commission's command to cease-and-desist from operating without Commission authority and continuing to offer to transport passengers for compensation without obtaining the necessary authority. I&E views \$200 as a cost of doing business that can be earned through a few fares, and significantly less than the amount of money needed to become properly certificated and insured for taxi authority. Due to this fact, and because Mr. West has previously been observed several times operating without authority, I&E submits that a \$200 civil penalty will not likely deter future violations. Exc. at 7-8.

Deterrence is a significant consideration when crafting an appropriate civil penalty. Penalty assessments by the Commission serve not only to deter the violator from future non-compliance, but also to deter others from violating the Code. While deterrence of future illegal conduct is paramount here, we recognize the small size of Mr. West's business. However, we will err on the side of a conclusion that a higher civil penalty is warranted in order to prevent future non-compliance, but not at a level that will unduly damage Mr. West's ability to properly seek and obtain the necessary Commission authority to transport passengers for compensation and maintain regulated operations under such authority.

Finally, the ninth *Rosi* factor considers past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). In support of a lower civil penalty in this matter, the ALJ cited two prior cases wherein the Commission imposed a civil penalty of \$100 for offering to transport passengers in exchange for compensation without authority. I.D. at 23 (citing *Pa. PUC, Bur. of Investigation & Enforcement v. McCree*, Docket No. C-2023-3037385 (Opinion and Order entered February 7, 2025); *Pa. PUC, Bur. of Transp. and Safety v. Briggs*, Docket No. C-2011-2215209 (Opinion and Order entered August 1, 2011)). Also, the ALJ cited an additional case, wherein the Commission imposed a civil penalty of \$250 for a similar violation under slightly different circumstances. *Id.* (citing *Pa. PUC, Bur. of Investigation and Enforcement v. Edwards*, Docket No. C-2016-2537014 (Opinion and Order entered February 8, 2018)). I&E counters that a higher civil penalty is warranted here because a nominal civil penalty is not equivalent to the priceless objectives of ensuring passenger and motorist safety and protecting the Commonwealth's roads, and such a nominal civil penalty will not deter repeated offenses threatening these objectives. Exc. at 8-9.

Upon review, we note that in most motor carrier enforcement proceedings, we have imposed modest civil penalties in consideration of the often minor nature of the infractions and small size of the regulated entities. However, we also recognize the balance of imposing a higher civil penalty in order to promote the Commission's important safety objective while deterring a violator of the Code from ongoing, future non-compliance.

On consideration of the record as a whole, the Code, our Regulations, including civil penalty assessment guidelines, and pertinent case law, we shall modify the Initial Decision with respect to the amount of the civil penalty to be assessed to Mr. West. We find that the imposition of a \$200 civil penalty is not sufficient under the circumstances of this matter. As discussed, *supra*, several *Rosi* factors weigh in favor of a higher civil penalty. We decline, however, to impose the full \$1,000 civil penalty

requested by I&E. Based upon our review of the record and the *Rosi* factors, we will exercise our authority as the ultimate finder of fact to impose a civil penalty of \$500 in the instant matter. We find that this amount is an appropriate balance between serving as an adequate penalty for Mr. West's violations of the Code and a sufficient deterrent to future illegal conduct from Mr. West. Therefore, I&E's Exceptions shall be granted, in part, and denied, in part.

Accordingly, in the ordering paragraphs below, we shall direct that Mr. West remit a civil penalty in the amount of \$500, which shall be reduced by the amount of \$200 that Mr. West has previously remitted, within thirty (30) days of the entry date of this Opinion and Order.<sup>11</sup>

#### **IV. Conclusion**

Based on the foregoing discussion and our review of the Initial Decision, I&E's Exceptions, and the record in this proceeding, we shall grant, in part, and deny, in part, the Exceptions filed by I&E and modify the Initial Decision of ALJ Chad L. Allensworth, issued on December 16, 2025, consistent with this Opinion and Order; **THEREFORE,**

#### **IT IS ORDERED:**

1. That the Exceptions of the Commission's Bureau of Investigation and Enforcement, filed on January 5, 2026, to the Initial Decision of Administrative Law

---

<sup>11</sup> By this Opinion and Order, we shall assess a total civil penalty of \$500 upon Mr. West. However, as noted, *supra*, according to the Commission's docket management system, InfoMAP, Mr. West previously submitted a \$200 money order to the Commission on December 23, 2025. Therefore, Mr. West shall remit an additional \$300, representing the remainder of the entire \$500 civil penalty, within thirty (30) days of the entry of this Opinion and Order.

Judge Chad L. Allensworth at Docket No. C-2025-3051758, issued on December 16, 2025, are granted, in part, and denied, in part, consistent with this Opinion and Order.

2. That the Initial Decision of Administrative Law Judge Chad L. Allensworth, issued on December 16, 2025, is modified, consistent with this Opinion and Order.

3. That the Formal Complaint filed by the Commission's Bureau of Investigation and Enforcement on January 15, 2025, against Quentin Kurt West t/a Checker Premium Rideshare at Docket No. C-2025-3051758, is sustained, consistent with this Opinion and Order.

4. That within thirty (30) days after entry of the Commission's Final Order in this case, Quentin Kurt West t/a Checker Premium Rideshare, shall pay a civil penalty totaling Five Hundred dollars (\$500), reduced by the amount of Two Hundred dollars (\$200) that was previously remitted, for a total amount due of Three Hundred dollars (\$300),<sup>12</sup> pursuant to Section 3301 of the Public Utility Code, 66 Pa.C.S.

---

<sup>12</sup> As noted in this Opinion and Order, we have assessed a total civil penalty of \$500 on Quentin Kurt West. However, given that Quentin Kurt West previously submitted a \$200 money order to the Commission on December 23, 2025, he shall remit the remaining \$300 of the total civil penalty of \$500, within thirty (30) days of the entry of this Opinion and Order, in accordance with Ordering Paragraph No. 4.

§ 3301, by sending a certified check or money order, made payable to the  
“Commonwealth of Pennsylvania” with the docket number of this proceeding listed to:

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

5. 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.*,  
the Public Utility Code, 66 Pa.C.S. §§101 *et seq.*, and the Regulations of this  
Commission, 52 Pa. Code §§1.1 *et seq.*

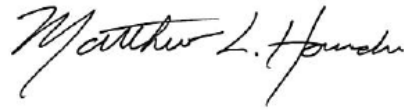
6. That a copy of this Opinion and Order shall be served upon the  
Commission’s Financial and Assessment Chief, Bureau of Administrative Services.

7. That the Bureau of Administrative Services, Assessment Section  
shall monitor this matter for compliance.

8. That, if Quentin Kurt West t/a Checker Premium Rideshare fails to  
make the payment required by Ordering Paragraph No. 4 above, within thirty (30) days of  
the entry date of the Commission’s Final Order, it is further ordered that the Bureau of  
Administrative Services, Assessment Section, shall refer this matter to the Pennsylvania  
Office of Attorney General for collection of the total set forth above and appropriate  
action.

9. That, after Quentin Kurt West t/a Checker Premium Rideshare remits the payment required by Ordering Paragraph No. 4 above, the Secretary shall mark this proceeding at Docket No. C-2025-3051758 closed.

**BY THE COMMISSION,**

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

Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: February 19, 2026

ORDER ENTERED: February 19, 2026