

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Application of Rasier-PA LLC, a Limited Liability Company of the State of Delaware, for the Right to Begin to Transport by Motor Vehicle, Persons in the Experimental Service of Shared-Ride Network for Passenger Trips Between Points in Pennsylvania, Excluding Those Which Originate or Terminate in the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union

Public Meeting November 13, 2014

2424608-OSA

Docket No. A-2014-2424608

Application of Rasier-PA LLC, a Wholly Owned Subsidiary of Uber Technologies, Inc., for a Certificate of Public Convenience to Operate an Experimental Ride-Sharing Network Service Between Points in Allegheny County, Pennsylvania

2416127-OSA

Docket No. A-2014-2416127

**APPENDIX A TO THE COMBINED JOINT MOTION OF
CHAIRMAN ROBERT F. POWELSON
AND COMMISSIONER PAMELA A. WITMER**

Rasier-PA -- Experimental Authority Certificate Conditions

A. Insurance

1. Pursuant to 52 Pa. Code § 32.11(a), a Form E Certificate of Insurance shall be filed by Rasier-PA LLC (Rasier-PA) affirming primary coverage for Stage 1 at coverage liability levels consistent with Commission regulations for motor carriers, plus \$1,000,000 coverage for Stages 2 and 3 as described by Rasier-PA in testimony (See NT 515, lines 11-23). In no event shall the levels of coverage in any stage fall below the standards set forth in 52 Pa. Code § 32.11(b).
2. Rasier-PA shall clearly and adequately inform drivers, in writing, of the levels of insurance coverage provided during Stages 1, 2 and 3 and instruct drivers regarding the appropriate protocol to be followed in case of an accident. Rasier-PA shall maintain verifiable records thereof for three years in writing or electronic format.
3. Rasier-PA shall direct drivers, conspicuously in written or electronic form, to contact their personal automobile insurer regarding any policy impacts that may be caused by operating the vehicle for TNC use. As part of this notification, drivers shall verify that they agree to make such contact with their personal insurer within a specified period of time. Such verification may be in written or electronic form, and must

include the driver's signature (either electronic or written). Rasier-PA shall maintain verifiable records thereof for three years.

B. Driver Integrity

1. Rasier-PA shall continue to undertake driver background checks of the scope and breadth described in the testimony (NT 60-63) and consistent with 52 Pa. Code §§ 29.503 and 29.505 both at the time of driver sign-up and annually thereafter. Rasier-PA shall maintain verifiable records thereof for two years.
2. Rasier-PA shall undertake drivers' history checks consistent with 52 Pa. Code § 29.504 both at the time of driver sign-up and annually thereafter. Rasier-PA shall continue its "zero tolerance" policy for driver drug/alcohol use while driving, consistent with 52 Pa. Code §§ 29.506 and 29.507. Rasier-PA shall maintain verifiable records thereof for three years.

C. Vehicle Safety

1. Rasier-PA shall ensure that drivers' vehicles successfully pass PennDOT inspection pursuant to 52 Pa. Code § 29.405 annually. Rasier-PA shall maintain verifiable records thereof for three years.
2. Rasier-PA shall ensure that drivers' vehicles remain in continuous compliance with the Commission's vehicle standards at 52 Pa. Code §§ 29.402 (1) and (2) and 29.403. Consistent with Commission Regulations, vehicles shall be subject to periodic inspection as set forth at 52 Pa. Code §§ 29.406 and 29.407. Rasier-PA shall maintain verifiable records thereof for three years.
3. Rasier-PA shall not permit the use of vehicles older than eight model years, consistent with Commission regulations at 52 Pa. Code § 29.314 (d). Rasier-PA shall maintain verifiable records thereof for three years.
4. Rasier-PA shall require that all vehicles be marked as specified at 52 Pa. Code §§ 29.71 and 29.72 while operating in Stages 1, 2 or 3.

D. Recordkeeping, Reports and Audits

1. Rasier-PA shall maintain verifiable records for service for a period of two years after the service was provided. These records include: trip information (date, time, origination, destination, and fare); vehicle information under 52 Pa. Code § 29.314(c); and the identity and driver's license numbers of all drivers.
2. Rasier-PA shall comply with the accident reporting requirements of 52 Pa. Code § 29.44. Consistent with this regulation, Rasier-PA shall maintain verifiable records thereof for a period of one year from the date of the accident.

3. Rasier-PA, its affiliates and third-party contractors shall comply with the assessment reporting requirements of 52 Pa. Code § 29.43, including reporting the gross intrastate operating revenues derived from the experimental service authority regardless of the entity that collects the revenues.
4. As part of the Compliance Plan filing, Rasier-PA shall submit for Commission review an affiliated interest agreement between it and Uber Technologies, Inc. (Uber). The Agreement shall include information related to the identities and job descriptions of the Uber employees and/or third-party contractors, including the office location of those persons, who are expected to provide services to Rasier-PA during the two-year certification period.
5. As part of its Compliance Plan filing, Rasier-PA shall submit the trip information required under the Interim Order dated July 31, 2014 issued at Docket No. A-2014-2416127. Rasier-PA may mark such information as confidential pursuant to the Commission's regulations. If marked confidential, this information will be treated according to existing Commission confidentiality practices and regulations. Any other issues related to non-compliance with the July 31, 2014 Order shall be referred to the Commission's Bureau of Investigation and Enforcement (BI&E) for further action as deemed appropriate.
6. Rasier-PA acknowledges that the Commission is authorized, pursuant to 66 Pa.C.S. §§ 331(a), 501 and 506, to inspect, audit and investigate any books, records and facilities of theirs and any affiliated entities as they relate to certificated services provided by Rasier-PA. Any reports or other documents marked as confidential will be treated according to existing Commission confidentiality practices and regulations.
7. Rasier-PA shall maintain a tariff with the Commission setting forth the terms and conditions of service, in a form consistent with the Commission's Emergency Temporary Authority Order, issued on July 24, 2014 at Docket No. A-2014-2429993. As part of its Compliance Plan, Rasier-PA shall fully explain its proposed surge pricing policy during emergencies and natural disasters, including the applicability of Pennsylvania's Price Gouging Act (Act of Oct. 31, 2006, P.L. 1210, No. 133).

E. Waiver of Regulations

1. The following Commission Regulations for call and demand service are hereby waived unless expressly retained by this Order: 52 Pa. Code §§ 21.2, 23.32, 23.64, 23.67, 29.62, 29.101, 29.103, 29.313(c) and (f), 29.314(b) and (c), 29.315, 29.316, 29.317, 29.318, 29.356 and 29.402(3). All other Commission Regulations applicable to call and demand service shall apply unless waived or modified by this Order.
2. Any Commission Regulations either pertaining to or referencing common carrier services other than call and demand are hereby found to be not applicable to the experimental service provided by Rasier-PA.

F. Compliance Plan and Periodic Audits

1. Rasier-PA shall file a Compliance Plan within thirty (30) days of entry date of this Order. The Compliance Plan shall demonstrate how Rasier-PA will achieve compliance with the conditions set forth herein. In no event will achievement of the conditions be accomplished later than thirty (30) days from the date of Commission approval of the Compliance Plan. The Compliance Plan shall identify the Rasier-PA employees, Uber employees and/or third-party contractors that will be responsible for implementing each condition. Concurrent with the Compliance Plan filing, Rasier-PA must also submit to the Commission or ensure delivery of an applicable Form E, an updated tariff and the trip information required in the Interim Order at Docket No. A-2014-2416127 dated July 31, 2014, as specified at condition D.5.
2. The Commission thereafter will rule upon the completeness and adequacy of Rasier-PA's Compliance Plan within thirty (30) days. If found to be in compliance with each stated condition, the Commission will approve the Compliance Plan and issue a Certificate of Public Convenience to Rasier-PA to provide experimental service for a period of two years consistent with 52 Pa. Code § 29.352.
3. After Commission approval of the Compliance Plan, Rasier-PA thereafter shall submit quarterly reports demonstrating its continuing compliance with each certificate condition.
4. In the event that Rasier-PA declines to accept the certificate conditions specified in this Order or the Commission rejects the Compliance Plan, no Certificate of Public Convenience shall be issued and the Emergency Temporary Authority granted to Rasier-PA by Order entered July 24, 2014 at Docket No. A-2014-2429993 shall be immediately revoked.