

**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 Allegheny County

Public Meeting November 13, 2014
2416127-OSA
Docket No. A-2014-2416127

Application of Rasier-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

2424608-OSA
Docket No. A-2014-2424608

**DISSENTING STATEMENT OF
VICE CHAIRMAN JOHN F. COLEMAN, JR.**

I am in general agreement with the presiding Administrative Law Judges' Recommended Decisions in these matters. Transportation Network Service has great potential to meet the public's need for efficient, consumer-friendly transportation options. I agree that the proposed service falls within the definition of public utility service, and is subject to our jurisdiction. I also conclude that the Applicant did not meet its burden of proof in showing that it was fit to provide the service at this point in time. Specifically, I am gravely concerned that the safety of drivers, passengers and other members of the public will be unnecessarily compromised under the Applicant's current business model.¹

I appreciate the majority's well-intentioned effort to bring the Applicant into accord with reasonable safety and insurance requirements by making the grant of permanent authority contingent on compliance by a date certain. However, I am very skeptical that the Applicant will satisfy these conditions.

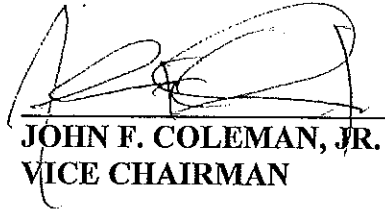
The Applicant commenced operation without a certificate of public convenience, despite Commission advice to the contrary. It continued to operate even after the issuance of a Cease and Desist Order. It was then provided a path to compliance when it was granted Emergency Temporary Authority in July of this year, and that ETA was later extended. The insurance

¹ These concerns are not speculative. The Applicant testified that it had received between 1 and 10 accident claims related to its service in Allegheny County since February 2014. The nature of the claims, any injuries, and their ultimate resolution are unknown. At best, the Applicant stated that it was "not aware" of the denial of insurance coverage for these claims. Recommended Decision, pg. 21.

related conditions for the ETA have never been fully satisfied. If the Applicant had been sincerely interested in avoiding the enforcement actions of our Bureau of Investigation and Enforcement, it could have resolved these issues before it started operations.

Instead, it is apparent that the Applicant views the proceedings before the Commission as a lengthy negotiation process. Any public safety or insurance requirements that conflict with its business model are inconveniences that will be ignored. Any financial sanctions we impose or negative consequences experienced by the public during this period are costs of doing business. I do not believe the Applicant will take the necessary steps to ensure its service is safe and reasonable until it is forced to do so by a Court of this Commonwealth or as a result of legislative action. Accordingly, I dissent.

DATE: November 13, 2014



JOHN F. COLEMAN, JR.
VICE CHAIRMAN