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June 2, 2014

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Application of Rasier-PA LLC, a Wholly Owned Subsidiary of Uber Technologies, Inc., for a Certificate of Public Convenience Evidencing Approval to Operate an Experimental Ride-Sharing Network Service Between Points in the Commonwealth of Pennsylvania, Excluding Points Originating or Terminating in the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union
Docket No. A-2014-

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC, a wholly owned subsidiary of Uber Technologies, Inc., I have enclosed for electronic filing an Application for a Certificate of Public Convenience to Operate an Experimental Ride-Sharing Network Service in the above-captioned matter. The filing fee of \$350.00 has been remitted through the eFiling system.

If you have any questions, please feel free to contact me.

Sincerely,



Karen O. Moury

KOM/tlg
Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Rasier-PA LLC, a Wholly Owned :
Subsidiary of Uber Technologies, Inc., for a :
Certificate of Public Convenience Evidencing :
Approval to Operate an Experimental :
Ride-Sharing Network Service Between Points in : Docket No. A-2014-
the Commonwealth of Pennsylvania, Excluding :
Points Originating or Terminating in the Counties :
of Beaver, Clinton, Columbia, Crawford, :
Lawrence, Lycoming, Mercer, Northumberland :
and Union :

APPLICATION

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

I. INTRODUCTION

1. By this Application, filed pursuant to 52 Pa. Code § 29.352, Rasier-PA LLC (“Applicant”), a wholly owned subsidiary of Uber Technologies, Inc. (“Uber”), requests the issuance of a certificate of public convenience evidencing approval to operate an experimental ride-sharing network service between points in the Commonwealth of Pennsylvania, excluding points originating or terminating in the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union.
2. Uber is registered as a foreign business corporation with the Pennsylvania Department of State at Corporation Bureau Entity Identification Number 4105162.
3. Applicant is a limited liability company organized under the laws of Delaware and is registered as a foreign limited liability company in Pennsylvania with the Department of State at Corporation Bureau Entity Identification Number 4262217.
4. Travis Kalanick is the Manager of Applicant and the only member of the limited liability company.
5. Applicant does not intend to utilize a trade name.

6. Applicant's physical address is:

122 Meyran Ave.
Pittsburgh, PA 15213

7. Applicant's mailing address is:

182 Howard St., #8
San Francisco, CA 94105

8. Applicant's attorney is:

Karen O. Moury (PA ID No. 36879)
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9. On March 1, 2013, the Commission issued a brokerage license at Docket No. A-2012-2317300 to Gegen, LLC ("Gegen"), a wholly owned subsidiary of Uber, evidencing approval of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. As noted in the Commission's Order adopted on January 24, 2013, requests for service under that license are received via proprietary dispatch software, and carriers are contracted by Gegen to provide service.

10. On October 29, 2013, the Commission issued a certificate of public convenience at Docket No. A-2012-2339043 to Gegen authorizing the additional right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Bucks, Chester, Delaware, and Montgomery counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

11. On April 14, 2014, Applicant filed an Application at Docket No. A-2014-2416127 requesting a certificate of public convenience to operate an experimental ride-sharing network service between points in Allegheny County, Pennsylvania. That application was published in the Pennsylvania

Bulletin on April 26, 2014, with protests due by May 12, 2014. Protests were filed and the application has been referred to the Office of Administrative Law Judge.

12. The Applicant does not hold intrastate operating authority.

II. DESCRIPTION OF SERVICE

Area of Service

13. Applicant proposes to operate a ride-sharing network service for passenger trips between points in the Commonwealth of Pennsylvania, excluding points originating or terminating in the Counties of Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union.

14. Applicant proposes to use a digital platform to connect passengers to independent ride-sharing operators (“Operators”) with whom Applicant intends to contract. Operators will use their personal, noncommercially licensed vehicles for the purpose of providing transportation services. The Applicant plans to license the Uber technology to generate leads from riders who need transportation services. Applicant does not own vehicles, employ drivers or transport passengers.

Defining the Service

15. Under Applicant’s proposal, riders request transportation via Uber technology through the Internet or a mobile application (“app”) on their smartphones. When an Operator responds to the request, the rider receives the vehicle type and a photo of the Operator, along with an indication of the Operator’s current location and estimated time of arrival. Operators may not solicit or accept street-hails.

16. Applicant proposes to offer service at no-charge, suggest a donation or charge a fare; provided that if a fare is charged, Applicant will disclose the fare calculation method, the applicable rates being charged, and the option for an estimated fare to the passenger before booking the ride. Upon completion of a trip, an electronic receipt will be transmitted to the passenger’s email address or app documenting the details of the trip.

Basis for Proposal

17. Last year, the Council of the District of Columbia (“DC”) enacted the “Livery Class Regulations and Ride-Sharing Amendment Act of 2013,” which provides an excellent model for the Applicant to successfully implement these services in a way that is beneficial to the riding public in the Commonwealth of Pennsylvania. In enabling ride-sharing services, DC understood the public demand for these services but also recognized the importance of ensuring adequate insurance, driver integrity and vehicle safety. Applicant’s affiliates are offering these services in many markets, including DC. The descriptions and commitments herein closely mirror the DC requirements, which have resulted in practices that are consistent with and in many instances significantly exceed the minimum standards for insurance, driver integrity and vehicle safety required by the Commission.

18. Technology has enabled Applicant’s affiliates to offer innovative services in other markets to passengers that are not available from traditional transportation providers. By relying on a digital platform, Applicant’s affiliates have been able to efficiently and economically connect passengers with Operators.

19. Applicant’s services are necessary for the public interest in the Commonwealth of Pennsylvania due to the failure of existing transportation options to adequately meet the needs of riders. Indeed, on a daily basis, Applicant’s affiliates receive requests from passengers throughout the Commonwealth of Pennsylvania for these services to be provided in their areas.

20. In addition, Applicant’s proposed services are responsive to consumers who wish to have a choice about the way they are transported. For instance, the availability of Applicant’s services would allow riders to request their transportation services through the Internet or app rather than by a street-hail, which is an option that many riders find to be convenient and preferable to traditional taxicab service.

21. In conditionally approving the application filed by Yellow Cab Company of Pittsburgh, Inc. t/a Yellow X at Docket No. A-2014-2410269, the Commission adopted an order on May 22, 2014

(“Yellow X Order) recognizing that this type of new, innovative service qualifies as experimental service under the Commission’s regulations. The Commission stressed the importance of ensuring that the current regulatory structure is not a barrier to desirable changes in the transportation industry facilitated by advancements in technology. Referring to the use of an app-based technology to arrange the service, the Commission observed that the service allows for a wider ranging, faster and more user friendly scheduling of transportation services. Further, in the Yellow X Order, the Commission found that the proposed service is responsive to a public demand or need. In a Joint Statement accompanying adoption of the Yellow X Order, Commissioner Witmer and Commissioner Brown expressed their encouragement and excitement about the potential for this type of service throughout the Commonwealth. Commissioner Witmer and Brown described this type of service as having the potential to revolutionize the transportation market and provide Pennsylvania customers with more options for travel. Welcoming different business models, they noted their expectation that this type of service would thrive in Pennsylvania and provide great benefits to customers.

III. INSURANCE

22. Applicant will require Operators to provide proof of valid and current liability insurance on the vehicle to be used in offering ride-sharing services in at least the amounts specified in 75 Pa.C.S. §§ 1702 and 1711.

23. Applicant will submit to the Commission proof of adequate insurance evidencing policies and coverage that exceed the minimum standards required by the Commission at 52 Pa. Code §§ 32.11 and 41.21, as follows:

- **\$1 million of liability coverage per incident.** This policy covers the Operator’s liability from the time an Operator accepts a trip request through the app until the completion of a trip. This policy is excess to the Operator’s own policy, but it acts as primary insurance if the Operator’s policy is not available for any reason, covering from the first dollar.

- **\$1 million of uninsured/underinsured motorist coverage per incident.** In the event that another motorist causes an accident with an Operator’s vehicle and does not carry adequate insurance, this policy of \$1 million per incident covers bodily injury. This is important to ensure that passengers are protected in a hit and run situation.
- **\$50,000 of contingent comprehensive and collision insurance.** If an Operator holds personal comprehensive and collision insurance that is found not to apply, this policy covers physical damage to that vehicle that occurs during a trip, for any reason, up to \$50,000 and with a \$1,000 deductible.
- **\$50,000/\$100,000/\$25,000 of contingent coverage between trips.** During the time that an Operator is available but between trips, most personal auto insurance will provide coverage. However, the Operator is also backed by an additional policy that covers liability for bodily injury up to \$50,000/individual/accident with a total of \$100,000/accident and up to \$25,000 for property damage. This policy is contingent to a Operator’s personal insurance policy, meaning it will only pay if the personal auto insurance completely declines or pays zero.

IV. DRIVER INTEGRITY

24. Applicant will require Operators to meet standards that are consistent with and significantly more stringent than the Commission’s standards set forth in 52 Pa. Code §§ 29.502-29.507, as described more fully below:

a. Criminal Background Checks. Applicant will conduct a local and national criminal background check that includes the Multi-State/Juris Criminal Records Locator and the National Sex Offender Registry database on each Operator before the Operator may access the platform to receive requests for transportation. A match on the national sex offer registry or a conviction that appears on a criminal background check within the past 7 years for crimes of violence, sexual abuse, felony

robbery, or felony fraud, shall automatically and permanently disqualify an individual from acting as an Operator.

b. Driving History Record. Applicant will have a driving history record conducted on each Operator before the Operator may offer service. A conviction that appears on a driving history check within the past 7 years for aggravated reckless driving, driving under the influence of drugs or alcohol, hit and run, attempting to evade the police, or the use of a motor vehicle to commit a crime, or a conviction that appears on a driving history check in the previous 3 years for driving with a suspended or revoked license, shall automatically disqualify an individual from acting as an Operator.

c. Drugs or Alcohol. Applicant has a zero tolerance policy on the use of drugs or alcohol while an Operator is providing ride-sharing services. Notice of this zero tolerance policy is on the Applicant's website, along with procedures to report a complaint, including a telephone number for the Commission about an Operator with whom the passenger was matched and for whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the ride. Applicant immediately suspends an Operator upon receipt of a passenger complaint alleging a violation of the zero tolerance policy, and such suspension shall last the duration of the Applicant's investigation.

d. Other Driver Requirements. Operators must possess a current, valid driver's license, proof of registration, proof of motor vehicle insurance and be at least 21 years of age.

V. Vehicle Safety Requirements and Other Specifications

25. Applicant will require Operators to meet standards that are consistent with the Commission's standards particularly as to safety, as described more fully below:

a. Inspections. Applicant will require vehicles operated by Operators to undergo and pass an annual and comprehensive safety inspection before the vehicle provides a ride-sharing service, which is consistent with the PaPUC's requirements at 52 Pa. Code §§ 29.402 and 29.405. Such inspection must be performed by an official inspection station and comply with Pennsylvania

vehicle laws and regulations at 75 Pa. C.S. Chapter 47 and 67 Pa. Code §§ 175.61-175.80, including but not limited to suspension and steering components; braking systems; tires and wheels; lighting and electrical systems; and horns and warning devices. Additionally, Applicant acknowledges that vehicles are subject to inspection by Commission enforcement officers through routine enforcement inspections to ensure compliance with these requirements.

b. Vehicle Age and Type. Operators contracted by Applicant will be required to use motor vehicles that are not more than 10 years old and are designed to transport no more than 10 persons, including the driver. Eligible vehicles include street-legal coupes, sedans, or light duty vehicles including vans, minivans, sport utility vehicles, hatchbacks, convertibles and pickup trucks.

c. Other Vehicle Requirements. Vehicles are required to be in a condition that meets or exceeds the standards set forth in 52 Pa. Code § 29.403, including seats in working order; vehicles in clean and sanitary condition; factory type heaters in working order; clean trunk compartments suitable for carrying luggage; exteriors free of large dents or gouges; 4 matching wheel covers; and operative air conditioning.

VI. OTHER REQUIREMENTS

26. Applicant will maintain a website that provides a customer service telephone number or email address.

27. Applicant will maintain records to demonstrate compliance with all of the requirements, standards and obligations described in this Application.

28. Applicant understands that it is subject to an annual assessment based upon reported gross Pennsylvania intrastate revenues, which Applicant will handle through delegation to a third party to interface with the Commission.

29. Applicant further understands that it has sole responsibility to address Commission-related passenger complaints and that a failure to adhere to the commitments made in this Application may

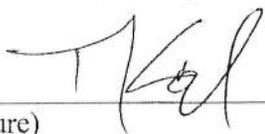
result in the Commission imposing sanctions, including civil penalties, suspension and revocation of the certificate of public convenience.

30. Applicant is not currently engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in such transportation unless and until such authorization is received from the Commission.

Verification of Application

I hereby verify that the statements made in this application are true and correct to the best of my knowledge and belief. The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Rasier-PA, LLC
Travis Kalanick, Manager



(Signature)

May 28, 2014