



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

June 20, 2014

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation  
and Enforcement v. Uber Technologies, Inc.  
Docket No. C-2014- 2422723  
**Answer to Motion for an Extension of Time**

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Answer of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission to the Motion of Uber Technologies, Inc. for an Extension of Time to File an Answer to the Complaint in the above-captioned matter.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

Stephanie M. Wimer  
Prosecutor  
PA Attorney I.D. No. 207522

Enclosure

cc: ALJ Mary D. Long and ALJ Jeffrey Watson (*via e-mail only*)  
As per certificate of service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2014-2422723
	:	
Uber Technologies, Inc.	:	
Respondent	:	

**ANSWER OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT TO  
THE MOTION OF UBER TECHNOLOGIES, INC. FOR AN EXTENSION OF  
TIME TO FILE AN ANSWER TO THE COMPLAINT**

TO THE HONORABLE MARY D. LONG AND HONORABLE JEFFREY WATSON:

Pursuant to Sections 5.61 and 5.103(c) of the Pennsylvania Public Utility Commission's ("Commission") regulations, 52 Pa. Code §§ 5.61 and 5.103(c), the Commission's Bureau of Investigation and Enforcement ("I&E"), by and through its prosecuting attorneys, hereby responds to the Motion of Uber Technologies, Inc. ("Uber") for an Extension of Time to File an Answer to the Complaint in the above captioned proceeding.

1. Admitted, in part. Denied, in part. It is admitted that Uber filed a Motion for Stay in this proceeding. It is also admitted that Uber's subsidiary corporation, Rasier-PA, LLC ("Rasier"), has filed an application seeking authority from the Commission to operate an experimental ridesharing network service in Allegheny County, Pennsylvania. The remaining averments are denied. Specifically, it is denied that Rasier's application bears any relevance to the instant enforcement proceeding against Uber. This matter

addresses past and continued violations of the Public Utility Code by Uber and has nothing to do with Rasier's application. It is also denied that Uber has demonstrated a willingness to work with the Commission and is complying with the Commission's regulations. To the contrary, Uber has clearly demonstrated a willingness to ignore the law by openly and notoriously violating the Public Utility Code, 66 Pa. C.S. §§ 1101 and 2505, by brokering transportation without a license using non-certificated motor carriers as drivers. Uber has also never, at any point, applied for a license or Certificate of Public Convenience to operate lawfully as a broker or common carrier in Pennsylvania.

2. Admitted.

3. Admitted, in part. Denied, in part. It is admitted that Uber's subsidiary corporation, Rasier, filed an application seeking authority from the Commission to operate an experimental ridesharing network service in Allegheny County, Pennsylvania. It is denied that Rasier's application is relevant to the instant enforcement proceeding against Uber. I&E makes no allegations against, or even mentions Rasier in its Complaint. This matter has nothing to do with Rasier's application. Rather, this proceeding addresses the past and continued violations of the Public Utility Code by Uber.

4. Admitted, in part. Denied, in part. It is admitted that Rasier's application was published in the *Pennsylvania Bulletin*, that protests were filed to the application and that preliminary objections were filed in response to certain protests. It is denied that Rasier's application process is relevant to the instant enforcement proceeding against Uber.



5. Denied. I&E lacks sufficient information to either admit or deny the averments set forth in this Paragraph and, therefore, they are denied. However, for the reasons set forth above, Rasier's application process is irrelevant to this proceeding.

6. Denied. By way of further answer, Rasier's application is separate and apart from the instant enforcement proceeding against Uber. Uber is openly and notoriously violating the Public Utility Code, 66 Pa. C.S. §§ 1101 and 2505, by brokering transportation without a license using non-certificated motor carriers as drivers. Uber has never, at any point, applied for a license or Certificate of Public Convenience to operate lawfully as a broker or common carrier in Pennsylvania. Therefore, it is in the public interest for the instant proceeding to move forward expeditiously for the reasons set forth in I&E's *Petition for an Interim Emergency Order*, which has been docketed at P-2014-2426846. Moreover, to grant this stay would be tantamount to ignoring past and present illegal practices in anticipation of a separate future proceeding. This result would allow any individual or company to provide unlicensed transportation or brokerage services without any consequences so long as they file, or a subsidiary files, an application, regardless of whether the application is approved and is merely pending.

7. Denied. It is denied that an extension of time to file Uber's answer is necessary. Uber's motion for stay should not be granted for all the reasons set forth above.

WHEREFORE, for the foregoing reasons, the Bureau of Investigation and Enforcement respectfully requests that Your Honors deny Uber Technologies, Inc.'s Request for an Extension of Time to File an Answer to the Complaint and proceed

immediately to adjudicate this matter irrespective of any other proceeding currently before the Commission.

Respectfully submitted,



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Wayne T. Scott  
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PA Attorney ID No. 29133

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
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Date: June 20, 2014

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

### Service by First Class Mail and Email:

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Dated: June 20, 2014