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June 25, 2014

VIA E-FILING

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement
v. Uber Technologies, Inc.
Docket No. P-2014-2426846

Dear Secretary Chiavetta:

On behalf of Uber Technologies, Inc., I have enclosed for electronic filing the Prehearing Conference Memorandum of Uber Technologies, Inc. in the above-captioned matter.

Copies have been served on all parties as indicated in the attached certificate of service.

Sincerely,



Karen O. Moury

KOM/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION, BUREAU OF	:	
INVESTIGATION AND ENFORCEMENT,	:	
Petitioner	:	Docket No. P-2014-2426846
	:	
v.	:	
	:	
UBER TECHNOLOGIES, INC.,	:	
Respondent	:	

**PREHEARING CONFERENCE MEMORANDUM OF
UBER TECHNOLOGIES, INC.**

TO ADMINISTRATIVE LAW JUDGES LONG AND WATSON:

Uber Technologies, Inc. (“UTI”) hereby submits this Prehearing Conference Memorandum in accordance with 52 Pa. Code § 5.222 and the Prehearing Order issued on June 18, 2014.

On June 5, 2014, the Bureau of Investigation and Enforcement (“I&E”) filed a complaint at Docket No. C-2014-2422723, alleging that UTI violated Section 1101 of the Public Utility Code, 66 Pa.C.S. § 1101, by offering to broker the transportation of persons for compensation in the Commonwealth of Pennsylvania without holding authority to do so and by brokering transportation of persons for compensation in Allegheny County without holding authority to do so. The complaint was served on UTI on June 6, 2014 and the answer is due on June 26, 2014.

On June 16, 2014, I&E filed a Petition for Interim Emergency Relief (“Petition”) filed by the Bureau of Investigation and Enforcement (“I&E”), pursuant to the Commission’s regulations at 52 Pa. Code § 3.6. By this Petition, I&E asks the Commission to issue an interim emergency order during the pendency of the complaint proceeding requiring UTI to “immediately cease and desist from brokering transportation service for compensation between points within the Commonwealth of Pennsylvania.” Petition at ¶ 1.

On June 23, 2014, UTI filed an Answer opposing the Petition on the grounds that I&E has failed to meet the Commission’s legal standards governing interim emergency relief and that the Commission should permit the factual and legal issues raised by the pleadings in this case to be addressed through the normal course of the proceedings. Specifically, UTI asserted in the Answer that I&E has failed to establish the existence of an emergency, defined by the Commission’s regulations as a “situation which presents a clear and present danger to life or property.” 52 Pa. Code § 3.1. UTI further argued in the Answer that I&E has failed to meet the other tests necessary to prevail on a request for interim emergency relief. In particular, UTI contended in the Answer that I&E has not demonstrated that the right to relief is clear, that the need for relief is immediate, that the injury would be irreparable if relief is not granted and that relief is not injurious to the public interest.

An emergency hearing is scheduled for June 26, 2014 and June 27, 2014. The issues for consideration during that hearing are whether I&E has established the existence of an emergency and met the other tests necessary to prevail on a request for interim emergency relief, as required by the Commission’s regulations.

UTI will be represented at the hearing by counsel and participate in the hearing through counsel. UTI will not present any witnesses at the hearing.

Respectfully submitted,

June 25, 2014



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Attorneys for Uber Technologies, Inc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF INVESTIGATION AND ENFORCEMENT	:	
	:	
	:	
v.	:	Docket No. P-2014-2426846
	:	
	:	
UBER TECHNOLOGIES, INC.	:	

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 § 1.54 (relating to service by a party).

Via E-Mail and/or First-Class Mail

Mary D. Long
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Dated this 25th day of June, 2014.



Karen O. Moury, Esq.