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June 25, 2014

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

**VIA ELECTRONIC FILING**

**Re: Petition of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission for an Interim Emergency Order Requiring Lyft, Inc. to Immediately Cease and Desist from Brokering Transportation Service for Compensation Between Points Within the Commonwealth of Pennsylvania; Docket No. P-2014-2426847**

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum of Lyft, Inc. in the above-captioned proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By 

Adeolu A. Bakare

Counsel to Lyft, Inc.

lmc  
Enclosure

c: Administrative Law Judge Mary D. Long (via e-mail and First-Class Mail)  
Administrative Law Judge Jeffrey Watson (via e-mail and First-Class Mail)  
Certificate of Service

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

### **VIA E-MAIL AND FIRST-CLASS MAIL**

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Adeolu A. Bakare  
Counsel to Lyft, Inc.

Dated this 25<sup>th</sup> day of June, 2014, in Harrisburg, Pennsylvania.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the Bureau of Investigation and	:	
Enforcement of the Pennsylvania Public Utility	:	
Commission for an Interim Emergency Order	:	
requiring Lyft, Inc. to immediately cease and	:	P-2014-2426847
desist from brokering transportation service for	:	
compensation between points within the	:	
Commonwealth of Pennsylvania.	:	

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**PREHEARING MEMORANDUM OF LYFT, INC.**

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Lyft, Inc. hereby submits this Prehearing Conference Memorandum in the above-captioned proceeding pursuant to 52 Pa. Code § 5.222.

On June 5, 2014, the Bureau of Investigation and Enforcement ("I&E") filed a Complaint at Docket No. C-2014-2422713, alleging that Lyft violated Section 1101 of the Public Utility Code, 66 Pa. C.S. § 1101, by operating as a broker without authority granted by the Pennsylvania Public Utility Commission ("PUC" of "Commission") and by offering broker services without authority. The Complaint was served on Lyft on June 6, 2014 and an Answer is due on June 26, 2014.

On June 16, 2014, I&E filed a Petition for Interim Emergency Relief ("Petition") requesting that the Commission issue an interim emergency order during the pendency of the Complaint proceeding requiring Lyft to "immediately cease and desist from broker transportation service for compensation between points within the Commonwealth of Pennsylvania." Petition at ¶ 1.

On June 23, 2014, Lyft filed an Answer opposing the Petition. Lyft argued that I&E failed to meet the requirements for emergency relief, including failing to show existence of an emergency, defined in the Commission's Regulations as "a situation which presents a clear and

present danger to life or property." 52 Pa. Code § 3.1. Lyft further denied I&E's claims that Lyft is currently operating in violation of the Public Utility Code.

The Commission has scheduled emergency hearings for June 26, 2014 and June 27, 2014. At the emergency hearings, Administrative Law Judges Long and Watson will determine whether I&E has established the existence of an emergency and otherwise satisfied the requirements for interim emergency relief as set forth in the Commission's Regulations.

At the hearings, Lyft will be represented by counsel. At this time, Lyft does not intend to call any witnesses at the hearing.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

James P. Dougherty (Pa. I.D. 59454)

Adeolu A. Bakare (Pa. I.D. 208541)

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Dated: June 25, 2014