**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Rasier-PA LLC, a limited liability company : A-2014-2416127

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 :

Application of Rasier-PA LLC, a limited liability company : A-2014-2424608

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 :

**INTERIM ORDER**

**ON ADDITIONAL HEARING,**

**RULINGS ON DISPOSITIVE MOTIONS, AND BRIEFING**

Initial evidentiary hearings were held in the above-captioned matters on August 18 and 19, 2014. Certain matters arose during the course of the hearings which have necessitated an additional day of hearing and modification of the briefing schedule. This order memorializes rulings made from the bench and matters agreed upon by the parties regarding subsequent proceedings.

**Additional Day of Hearing**

The parties present at the hearing agreed to schedule an additional day of hearing for the purpose of presenting evidence on the subject of insurance. Counsel for Rasier-PA LLC, Karen O. Moury, Esquire, represented she had consulted with counsel for The Insurance Federation of Pennsylvania, Inc. who was not present in the hearing room, and that the additional day of hearing was acceptable to The Insurance Federation of Pennsylvania, Inc. Therefore, it is ordered that an additional day of hearing on the subject of insurance is scheduled for **Tuesday, September 9, 2014**, at the Commission’s hearing room in Pittsburgh. Proceedings will begin at 9:00 a.m.

**Rulings on Dispositive Motions**

Several dispositive motions were made by the Protestants in the above-captioned matters during the course of the initial evidentiary hearings. Our rulings on these motions were made from the bench, and are memorialized as follows:

1. The Motion for Judgment on the Pleadings by Protestants, Keystone Cab Service, Inc., EZ Taxi LLC, United Cab LLC and Good Cab LLC filed on August 15, 2014, is denied. However, the Protestants are not prejudiced from renewing the arguments made in the motion in any subsequent motion or in their final argument in opposition to the applications.
2. The Motion to Dismiss the Application at PUC Docket No. A-2014-2416127 as a sanction for failing to comply with our interim order dated July 31, 2014 without good cause is held in abeyance. The Applicant is directed to file a brief responsive to the motion on or before September 12, 2014. The Protestants may file a reply, solely on the issue of this sanction, on or before September 15, 2014.
3. The Motion for Summary Judgment by the Protestants, seeking dismissal of the applications for failure of the Applicant to sustain its burden of proof, is held in abeyance pending receipt of the briefs in this matter.
4. The Motion for Contempt by the Protestants in connection with the Applicant’s failure to comply with the July 31, 2014 interim order is denied.

**Briefing**

In view of the proceedings and motions noted above, the briefing schedule provided in our prehearing orders dated July 29, 2014, is modified. All briefs in support and opposition to the application shall be filed on or before September 12, 2014. The above-stated date is **in-hand** dates for service on the parties and the presiding Administrative Law Judges (ALJs). The parties and the presiding ALJs agree to accept email transmission of such material, so long as the subject email is received by **4:30 p.m. on the date due** and provided the email is followed the next business day by sending a hard copy of the same material via first-class mail postage prepaid to the parties. The email addresses of the presiding ALJs are [malong@pa.gov](mailto:malong@pa.gov) and [jeffwatson@pa.gov](mailto:jeffwatson@pa.gov). The Presiding ALJs will not accept facsimile transmissions greater than ten pages in length without prior authorization. If in doubt, please call (412) 565-3550.

The parties must comply with 52 Pa.Code §§ 5.501, *et* *seq*., regarding the preparation and filing of briefs. All parties shall submit to the presiding ALJs **one** hard copy of their briefs and one copy by email. **The electronic version of a brief must be prepared on an IBM compatible system in *Microsoft Office Word 2010* format or in an earlier version of this software application.** If in doubt, please call the office of the presiding ALJs for clarification.

All Briefs **MUST** include:

1. Proposed findings of fact and conclusions of law with citations to the transcript and exhibits admitted into the record. **Any proposed finding of fact that does not include record citations to transcript pages or exhibits where the supporting evidence appears, will not be considered**.
2. A thorough legal analysis of the issues raised in the case.

3. Proposed ordering paragraphs specifically identifying the relief sought.

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Mary D. Long

Administrative Law Judge

Date: August 20, 2014 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jeffrey A. Watson

Administrative Law Judge

**A-2014-2416127 – APPLICATION OF RASIER-PA LLC, a wholly owned subsidiary of uber technologies, inc., FOR A CERTIFICATE OF PUBLIC CONVENIENCE TO OPERATE AN EXPERIMENTAL RIDE-SHARING NETWORK SERVICE**

**A-2014-2424608 - APPLICATION OF RASIER - PA LLC FOR APPROVAL TO EXPAND ITS TERRITORY AS 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.**

***(Revised 8/20/14)***

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