



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

October 8, 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. Lyft, Inc.
Docket No. C-2014-2422713

Dear Secretary Chiavetta:

Enclosed for filing is the original copy of the Motion to Modify Answer Periods of the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission in the above-captioned matter. The purpose of I&E's Motion is to expedite discovery responses of Lyft Inc. as well as to expedite the filing of a responsive pleading to I&E's Amended Complaint filed this date in order that the evidentiary hearing set for October 23, 2014 may still be conducted as scheduled.

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

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Michael L. Swindler
Prosecutor
PA Attorney ID No. 43319

Enclosures

cc: Honorable Mary D. Long
Honorable Jeffrey A. Watson
As per Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility
Commission, Bureau of
Investigation and Enforcement

v.

Lyft, Inc.

Docket No. C-2014-24227

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MOTION TO MODIFY ANSWER PERIODS

NOW COMES the Pennsylvania Public Utility Commission (Commission), Bureau of Investigation and Enforcement (I&E), by its prosecuting attorneys, pursuant to Section 5.103 of the Commission's regulations, 52 Pa. Code § 5.103, and files this Motion to Modify Answer Periods regarding Lyft, Inc.'s (Lyft or Company or Respondent) Answers to I&E Interrogatories and Request for Production of Documents – Set II and Answer to Amended Complaint. In support of its Motion, I&E respectfully represents as follows:

I. Commission Jurisdiction and Authority

1. The presiding officers of a proceeding have the discretion to modify the time frame for serving answers to interrogatories, pursuant to 52 Pa. Code § 5.342(d).
2. The presiding officers have the discretion to modify the time frame for filing an

Answer to a pleading ,including an Amended Complaint, pursuant to 52 Pa. Code § 5.61(a).

II. Background

3. I&E served its Interrogatories and Requests for Production of Documents – Set II (Set II) on Lyft via email dated October 3, 2014.
4. I&E’s Interrogatories and Requests for Production of Documents – Set II is limited to six (6) questions that seek information similar to discovery previously sought by I&E in its Interrogatories and Requests for Production of Documents – Set I and/or provided by Lyft and should be readily accessible by Company.
5. I&E filed its Amended Complaint in the above docket on October 8, 2014.
6. I&E’s Amended Complaint does nothing more than recalculate the proposed civil penalty to include a “per ride” component regarding the post-Cease and Desist Order violations, rather than a completely “per day” component.
7. The ride information that is the subject of the Amended Complaint was provided to I&E by Lyft on a confidential basis on September 11, 2014.

III. Motion

8. The evidentiary hearing in the above-docketed matter is scheduled to be held before the presiding officers on October 23, 2014 in Pittsburgh. Should Respondent be afforded the standard twenty (20) days to respond to I&E’s discovery and the standard twenty (20) days to Answer I&E’s Amended Complaint, such responses and responsive pleading would not be provided to Complainant until *after* the date of the scheduled hearing.

9. Since the only change to I&E's complaint as originally filed involves the inclusion of information provided by the Company itself, and since the discovery sought is similar to previous discovery requests and should be readily accessible by the Company, *I&E respectfully requests that the presiding officers invoke their discretion to modify the Answer periods so as not to require any delay of the evidentiary hearing.*
10. I&E avers that any perceived prejudice experienced by Lyft in modifying the response times as sought by I&E herein is outweighed by the administrative waste and delay of necessitating cancellation of the October 23, 2014 evidentiary hearing, requiring the presiding officers to modify their schedules, revisiting parties' availability dates, cancelling and rescheduling the court reporter, and further delaying resolution of this matter should the Answer periods not be modified.
11. I&E respectfully requests that the presiding officers direct Lyft to file Answers to I&E's Interrogatories and Requests for Production of Documents – Set II within fifteen (15) days of service of the discovery, pursuant to the presiding officers' power to prescribe a different time under 52 Pa. Code § 5.342(d).
12. I&E respectfully requests that the presiding officers direct Lyft to file any Answer to the Amended Complaint within ten (10) days of service of the Amended Complaint pursuant to the presiding officers' power to prescribe a different time under 52 Pa. Code § 5.61(a).

WHEREFORE, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement hereby requests that the Commission grant I&E's Motion and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



Michael L. Swindler
Prosecutor
PA Attorney ID No. 43319

Stephanie M. Wimer
Prosecutor
PA Attorney ID No. 207522

Wayne T. Scott
First Deputy Chief Prosecutor
PA Attorney ID No. 29133

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Bureau of Investigation and Enforcement
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Dated: October 8, 2014

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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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Date: October 8, 2014