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November 26, 2014

VIA **ONIC FILING & FIRST S MAIL**

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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. Lyft, Inc.; Docket No. C-2014-2422713

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is a Motion for Continuance of December 10, 2014 Initial Hearing on behalf 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.

P. Sobiecki
Counsel for Lyft, Inc.
PA Attorney ID # 94366

Enclosures

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

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 CLASS MAIL

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P. Sobiecki
Counsel for Lyft, Inc.

Dated this 26th day of November, 2014, in Washington, D.C.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
INVESTIGATION AND ENFORCEMENT

Complainant,

Docket No. C-2014-2422713

v

LYFT, INC

Respondent.

**LYFT'S UNOPPOSED MOTION FOR CONTINUANCE OF DECEMBER 10, 2014
INITIAL HEARING**

1. Pursuant to 52 Pa. Code § 1.15(b), and for good cause shown, Lyft, Inc. respectfully requests that the Initial Hearing scheduled for December 10, 2014, in the above-captioned matter be continued.

2. Lyft has conferred with the Bureau of Investigation and Enforcement ("I&E") regarding the Motion for Continuance, and I&E does not oppose the requested relief, which seeks to reset the hearing date after February 11, 2015.

3. The Initial Hearing should be continued for two main reasons. First, proceeding with a December 10 hearing date risks violating Lyft's due process right to a fair hearing because Lyft and undersigned counsel would not have sufficient time to prepare. Second, proceeding with a December 10 hearing date would deprive the parties of sufficient time to determine whether this matter can be resolved without incurring the time and expense of a hearing on the merits.

4. On June 5, 2014, I&E filed a complaint against Lyft. On July 29, 2014, the initial hearing in this matter was scheduled for October 23, 2014.

5. On October 8, 2014, I&E filed an amended complaint against Lyft. To allow Lyft sufficient time to respond to the amended complaint, the initial hearing was rescheduled for December 10, 2014.

6. Since I&E filed its amended complaint, Lyft has not been idle. Lyft has filed at least 15 submissions in the above-captioned matter and in matters relating to Lyft's applications for experimental authority. Preparing those submissions has taken significant time and has prevented Lyft from having adequate time to prepare for the December 10 hearing. In particular, Lyft has been engaged in substantial—and unanticipated—litigation to protect its highly confidential and proprietary information from disclosure, both before the Public Utility Commission and before the Commonwealth Court of Pennsylvania.

7. In addition, undersigned counsel was recently retained to act as lead counsel in this matter. Undersigned counsel has been working diligently to digest the voluminous record in this and related matters, but additional time is needed to prepare for a hearing where I&E seeks a penalty of approximately \$7 million.

8. Lyft also seeks a continuance so that it can engage in more fulsome discussions with I&E regarding the status of this matter in an attempt to avoid the need for the Initial Hearing altogether. If the need for the hearing is obviated, it will save the parties and the Commission significant time and resources. However, with only one full business week remaining prior to December 10, there is currently not enough time for Lyft to adequately explore a potential resolution short of a hearing.

9. For the foregoing reasons, Lyft respectfully requests that this Motion for Continuance of the December 10, 2014 Initial Hearing be granted.

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Dated: November 26, 2014