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January 9, 2015

VIA E-FILING

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

Re: Applications of Rasier-PA LLC,
Docket Nos. A-2014-2416127 and A-2014-2424608

Dear Secretary Chiavetta:

On behalf of Rasier-PA, LLC ("Rasier-PA"), I am electronically filing responses to requests from the Commission's staff for additional information concerning the Compliance Plans filed in the above-captioned matters on December 24, 2014, and supplemented on January 5, 2015. Please contact me with any questions regarding this filing.

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

Sincerely,



Karen O. Moury

KOM/bb
cc: Certificate of Service

Rasier-PA LLC Compliance Plans
Docket Nos. A-2014-2416127 and A-2014-2424608

Responses to Staff Information Requests

- 1. Regarding criminal background checks, when and how will they be conducted? Will the background checks be handled by an independent contractor, affiliated entity or by an employee of Rasier-PA? What plan has been developed to implement the checks?**

Response:

- A. *Entity Conducting Background Checks.* Uber Technologies, Inc. (“UTI”) utilizes a nationally accredited third party group to perform criminal background checks, which is currently Hirease, Inc. The third party vendor performs the background checks and provides the information to UTI. Employees of UTI, who are assigned to Rasier-PA, are responsible for the review and disposition of each application.
- B. *Timing of Criminal Background Checks.* All applicants seeking to be driver partners must pass the entire background screening process prior to being able to access the mobile application (“App”) and become available to accept trip requests. Thereafter, criminal background checks will be performed annually. Existing driver partners will be immediately removed and barred from the platform should he or she fail the annual criminal background checks.
- C. *Screening.* All applicants and driver partners are screened through:
- (1) County Criminal Search of courthouse records going back 7 years for every county of residence for every match of name and address
 - (2) Federal District Search of courthouse records going back 7 years
 - (3) National (Multi-State) Criminal Database Search going back 7 years
 - (4) National Sex Offender Registry
 - (5) Social Security Trace (lifetime search based on name and social security number to identify addresses and names, including “also known as” and aliases, associated with the individual)
- D. *Automatic Disqualification.*
- (1) Individuals are automatically disqualified from being a driver partner if they are recorded in the National Sex Offender Registry.
 - (2) Individuals are automatically disqualified from being a driver partner if they have been convicted of violent crimes, sexual offenses or felonies in the past 7 years, including:
 - Assault
 - Sexual assault
 - Battery
 - Homicide
 - Theft/burglary/robbery
 - Indecent exposure

- Gun-related violations
- Resisting/evading arrest
- Felony fraud
- Property damage
- Driving under the influence
- Controlled substance violations
- Severe driving violations such as hit-and-run, driving over 100 mph, driving on a suspended/revoked license or driving on the wrong side of a divided highway

(3) Individuals are automatically disqualified from being a driver partner if they have been convicted of driving without insurance or driving with a suspended license in the past 3 years.

E. *Compliance with Commission's Regulations.* These background checks exceed the requirements of the Commission's regulations at 52 Pa. Code §§ 29.503 and 29.505, both in terms of the scope of review and the number of years that are reviewed. Additionally, the automatic disqualification of individuals convicted of violent crimes, sexual offenses or felonies over the past seven years goes beyond the requirements of the Commission's regulations.

2. Regarding driver history checks, when and how will they be conducted? Will the driver history checks be handled by an independent contractor, affiliated entity or by an employee of Rasier? What plan has been developed to implement the checks?

Response:

A. *Entity and Method for Conducting Driver History Checks.* UTI employees are assigned to Rasier-PA to perform driver history checks.

(1) Following authorization by the individual, UTI employees access the motor vehicle records through the Pennsylvania Department of Transportation ("PennDOT") portal, by entering a driver's license number and the first two letters of the individual's last name.

(2) For an applicant who does not have seven years of driving history in Pennsylvania, UTI's third party contractor identified above, Hirease, Inc., reviews the motor vehicle records of the applicant in any other applicable states of residence and provides this information to UTI employees who are assigned to Rasier-PA to perform driver history checks.

B. *Timing of Driver History Checks.* All applicants must pass the driver history checks prior to being able to access the App and become available to accept trip requests. Thereafter, driving history checks will be performed annually. Existing driver partners will be immediately removed and barred from the platform should he or she fail the annual driver history checks.

C. *Minimum Requirements.* Driver partners must be at least 21 years of age. Applicants who are the age of 21 or 22 years must have had a driver's license for three or more years. Applicants who are 23 years or older must have had a driver's license for one or more years.

D. *Automatic Disqualification.*

(1) Individuals are automatically disqualified from being a driver partner if they are found to have committed extreme violations in the last 7 years, including:

- Driving under the influence of drugs or alcohol
- Crime involving the use of a motor vehicle
- Severe driving infractions, such as:
 - Aggravated reckless driving
 - Driving over 100 mph
 - Hit and run violations
 - Attempting to evade police
 - Other reckless driving
- Violations involving property damage
- Violations involving fatal accidents

(2) Individuals are automatically disqualified from being a driver partner if they are found to have committed any major violations in the last 3 years, including:

- Driving with a suspended, revoked or invalid license
- Driving with invalid or no insurance
- Driving on the wrong side of a divided highway
- Speeding by more than 20 mph over the limit

(3) Individuals are automatically disqualified from being a driver partner if they are found to have committed three or more minor violations in the last 3 years, including:

- Violations involving non-fatal accidents
- Traffic light violations
- Normal speeding tickets
- Miscellaneous moving violations

E. *Compliance with Commission Regulations.* These driver history checks exceed the requirements of the Commission's regulations at 52 Pa. Code § 29.504, both in terms of the scope of the review and the number of years that are reviewed. Additionally, the automatic disqualification of individuals convicted of violations goes beyond the requirements of the Commission's regulations.

3. Has Raiser-PA, LLC contracted a company to perform drug testing, and is there a more detailed plan for the way in which drivers shall be randomly selected for drug/alcohol screening? If there is a detailed plan, please provide it.

Response:

A. *Implementation of Zero Tolerance Policy for Alcohol or Drug Use.* Raiser-PA has a zero tolerance policy on the use of drugs or alcohol while a driver partner is operating on the platform. Implementation of this policy occurs through:

(1) Conducting drug and alcohol screening before individuals are permitted to access the App and be available to accept trip requests, and repeating this screening on an annual basis. This screening is done through the criminal background checks and driver history checks which automatically disqualify individuals who have

been convicted of felonies involving controlled substances or driving under the influence of alcohol or drugs in the last 7 years from being driver partners.

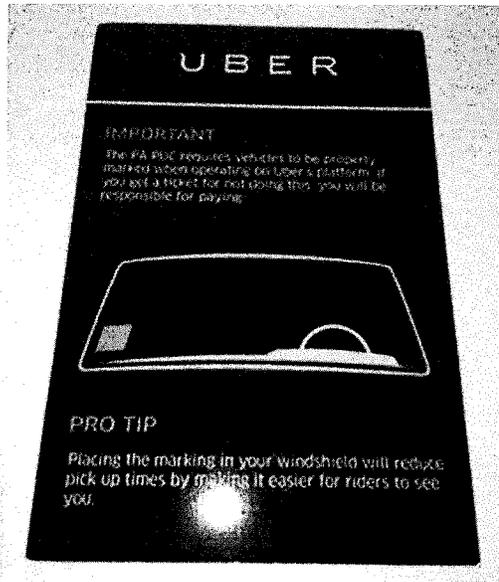
- (2) Posting a notice on its website of the zero tolerance policy, along with procedures for passengers to report a complaint, including a telephone number for the Commission, about a driver partner with whom the passenger was matched and for whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the transportation.
 - (3) Immediately suspending driver partners, pending an investigation, upon receipt of a passenger complaint alleging a violation of the zero tolerance policy.
 - (4) Investigating the complaint.
 - (5) Deactivating the driver partner if the investigation shows a violation of the zero tolerance policy.
- B. *Random Screening.* In its applications, Rasier-PA did not propose to conduct random drug/alcohol screening. Rather, its proposal in the applications and its testimony at the hearing explained the implementation of its zero tolerance policy as described above. In conditionally approving the applications, the Commission directed Rasier-PA to continue this zero tolerance policy for driver drug/alcohol use, and did not impose any additional requirements. December 5, 2014 Order at p. 32 (Docket No. A-2014-2424608).
- C. *Compliance with Commission Regulations/Orders.* Rasier-PA's zero tolerance policy for driver drug or alcohol use while driving on the platform complies with the Commission's regulations at 52 Pa. Code §§ 29.506 and 29.507, and with the Commission's December 5, 2014 Orders.

4. What are the dimensions of the placard bearing the letter "U" which will serve as a vehicle marker in the windshield?

Response:

The "U" placards are 4 inches by 4 inches in size and printed with the UTI logo on glossy cardstock. These placards are placed in a clear sleeve and affixed to the front windshield on the passenger side of the driver partner's vehicle. Each driver partner is given a placard and a plastic sleeve, along with instructions for where to affix them and to use them when they are logged into the App and available to pick up passengers.

Below are photos of the "U" placard and instructions for using it.



5. Finally, Rasier-PA is providing additional details to explain how it determines whether a driver partner has failed to provide evidence of successfully completing the annual PennDOT inspection after he or she is already operating on the platform.

Response:

- A. *Auditing.* On a weekly basis, Rasier-PA conducts a document audit through which it identifies driver partners with documents, including proof of PennDOT inspection requirements, which are expiring in the upcoming week and sends those driver partners an electronic mail and a text message instructing them to upload new documents.
- B. *Review of New Documents.* UTI employees assigned to Rasier-PA review the new documents, including the inspection sticker and the vehicle identification number, to verify that they are correct, current and compliant.
- C. *Suspension of Account.* If the new document is not uploaded, reviewed and approved by the document expiration date, the account is suspended, which means that the driver partner cannot access or receive trips through the App. The account will remain suspended until the driver partner provides current (non-expired) documents, and those documents are verified by a UTI employee assigned to Rasier-PA to be correct, current and compliant.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Rasier-PA LLC, a Wholly Owned :
Subsidiary of Uber Technologies, Inc. for a :
Certificate of Public Convenience Evidencing : Docket No. A-2014-2424608
Approval to Operate an Experimental :
Ride-Sharing Network Service Between Points in :
the Commonwealth of Pennsylvania, Excluding :
Designated Counties :

Application of Rasier-PA, LLC, a limited :
liability company of the State of Delaware, :
for the right to begin to transport, by motor vehicle : Docket No. A-2014-2416127
persons in the experimental service of shared-ride :
network for passenger trips between points in :
Allegheny County :

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).

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Dated this 9th day of January, 2015.



Karen O. Moury, Esq.