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February 3, 2015

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
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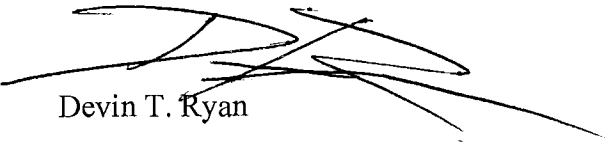
Re: Application of Lyft, Inc., a corporation of the State of Delaware, for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in Allegheny County, PA - Docket No. A-2014-2415045

Application of Lyft, Inc., a corporation of the State of Delaware, for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in Pennsylvania - Docket No. A-2014-2415047

Dear Secretary Chiavetta:

Enclosed for filing, is Lyft, Inc.'s Response to the Insurance Federation's Compliance Plan Objections, in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin T. Ryan

DTR/jl
Enclosures

Rosemary Chiavetta, Secretary
February 3, 2015
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cc: Honorable Mary D. Long
Honorable Jeffrey Watson
Certificate of Service

CERTIFICATE OF SERVICE
(Docket Nos. A-2014-2415047 and A-2014-2415045)

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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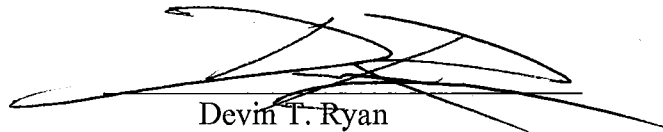
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Bryan L. Heulitt, Jr., Esquire
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Date: February 3, 2015


Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Lyft, Inc., a corporation of the State of Delaware, for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in Pennsylvania

A-2014-2415047

Application of Lyft, Inc., a corporation of the State of Delaware, for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in Allegheny County

A-2014-2415045

**LYFT'S RESPONSE TO THE INSURANCE FEDERATION'S
COMPLIANCE PLAN OBJECTIONS**

In accordance with the Pennsylvania Public Utility Commission's ("Commission") January 23, 2015 Letter to Parties of Record in the above-captioned matters ("January 23 Letter"), Lyft, Inc. ("Lyft") hereby submits its Response to the Objections (the "Objections") to Lyft's Compliance Plans (the "Compliance Plans") filed by the Insurance Federation of Pennsylvania, Inc., (the "Federation") on January 28, 2015. For reasons explained below, the Commission should reject the Federation's Objections and approve Lyft's Compliance Plans.

Sparing no hyperbole, the Federation mostly disregards the Commission's admonition that "the proper scope of any objections is limited to the factual issue of an alleged *deviation* of Lyft's compliance filings from the conditions and requirements set forth in the Commission's December 18th Order[s]".¹ January 23 Letter (citing 52 Pa. Code § 5.592(c)). Its Objections are

¹ See December 18, 2014 Order in *Application of Lyft, Inc., a Corporation of the State of Delaware, for the Right to Begin to Transport, by Motor Vehicle, Persons in the Experimental Service of Transportation Network Company for Passenger Trips Between Points in Allegheny County*, Docket No. A-2014-2415045 (the "Allegheny County December 18 Order"); December 18, 2014 Order in *Application of Lyft, Inc., a Corporation of the State of Delaware, for the Right to Begin to Transport, by Motor Vehicle, Persons in the Experimental Service of*

admittedly “almost the same” as the ones it filed against Uber, Objections at 1, which the Commission has appropriately rejected. The Objections to Lyft’s Compliance Plans should be rejected for the following reasons:

1. First, the Federation complains that Lyft’s Form E certification does not specifically list certain minimum insurance coverage required by under Title 52, Section 32.11(a) of the Pennsylvania Code. Objections at 2–3. This objection is invalid for two reasons. First, Lyft’s Form E certification uses the Commission’s standard form and attests that Lyft’s insurance coverage is in accordance with the applicable law, which includes the minimum coverage requirements under Section 32.11(a) of the regulations. *See* 52 Pa. Code § 32.11(a). Second, Lyft presented specific evidence at its evidentiary hearing that its meets or exceeds the requirement of Section 32.11(a), as excerpted here:

<p>Named Insured: Lyft, Inc.</p> <p>Endorsement Effective Date: 6/19/2014</p>

Basic First-party Benefit is changed as follows:

SCHEDULE

As Indicated below, Added First-party Benefits or Combination First-party Benefits apply instead of the Basic First-party Benefit. The Limits Of Liability shown for the benefits selected below replace the Limits Of Liability shown in the Schedule for the Basic First-party Benefit.

Benefits	Limit Of Liability (Per Insured)
<input checked="" type="checkbox"/> Added First-party Benefits:	
Medical Expense Benefits	Up to \$ 25,000
Work Loss Benefits	Up to \$ 10,000 subject to a maximum of \$ per month

Exhibit 3 from Commission Evidentiary Hearing.

2. Second, the Federation objects that Lyft’s Compliance Plans, which state that “Lyft has obtained primary liability insurance coverage” for Stage 1, leave out language from the Commission’s December 18 Orders: “regardless of any insurance coverage held by Lyft’s drivers.” Objections at 3. This objection should be rejected because, by definition, Lyft’s

Transportation Network Company for Passenger Trips Between Points in Pennsylvania, Docket No. A-2014-2415047 (the “Statewide December 18 Order”) (collectively, “December 18 Orders”).

primary coverage would apply regardless of drivers' coverage. More generally, though, this issue is currently being reconsidered, and Lyft fully intends to comply with the Commission's coverage requirements.

3. Third, the Federation complains that Lyft should clarify how it will verify that drivers have Stage 0 insurance, and even suggests that Lyft verify drivers' insurance with their respective insurance companies. Objections at 4–5. This, respectfully, is beyond the scope of the Commission's December 18 Orders. The Commission said that “with respect to Stage 0, the Commission accepted Lyft's proposal to require its drivers to provide proof of valid and current liability insurance.” Statewide December 18 Order at 46; Allegheny County December 18 Order at 44. Lyft's Compliance Plans are consistent with the proposal the Commission accepted. *See* Compliance Plans ¶ III(a).

4. Fourth, the Federation claims that Lyft should have better explained how and when it will notify drivers of its insurance coverage. Again, Lyft meets the Commission's requirements by stating that it will inform drivers “during the onboarding process” (i.e., during the process of becoming a Lyft driver), “in writing and through electronic notification,” of coverage for Stages 1–3. *Compare* Compliance Plans ¶ III(b), *with* Statewide December 18 Order at 47 and Allegheny County December 18 Order at 45.

5. Fifth, the Federation objects to the language Lyft uses to describe its Stage 1–3 coverage, complaining that it may not be understood by drivers using the Lyft platform, who may be confused as to Lyft's policies and protocols. Objections at 6–7. The Compliance Plans' language is directly responsive to the December 18 Orders. *Compare* Compliance Plans ¶ III(b)(i), *with* Statewide December 18 Order at 47 and Allegheny County December 18 Order at 45. And Lyft's drivers can access information regarding insurance coverage anytime on

Lyft's website.² Finally, drivers can also access the certificates of insurance directly in the Lyft app.

6. Sixth, the Federation claims that the Compliance Plans should have provided the actual notice Lyft will give drivers of the requirement that they notify their personal insurers that they are driving on the Lyft platform. Objections at 9–11. Once again, the Compliance Plans are entirely consistent with the Commission's December 18 Orders. *Compare* Compliance Plans ¶ III(c), *with* Statewide December 18 Order at 46, Appendix A, Part A(3), and Allegheny County December 18 Order at 45, Appendix A, Part A(3).

7. Seventh, the Federation contends that Lyft has not adequately explained how it will notify current drivers of its insurance coverage and policies. Objections at 11–12. To be clear, Lyft does not intend to exempt current drivers from rules affecting new drivers. Lyft already notifies drivers of its coverage and policies and is establishing a separate notification and verification process that it intends to implement within 30 days of the approval of the Compliance Plans.

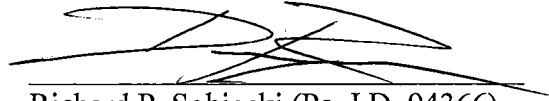
8. Eighth, the Federation claims that the individuals identified as responsible for implementing Lyft's Compliance Plans are somehow inadequate. Objections at 12–13. Again, Lyft's Compliance Plans comply with the Commission's December 18 Orders precisely. *Compare* Statewide December 18 Order at 62 and Allegheny County December 18 Order at 60, *with* Compliance Plans at ¶¶ I(d); II(d); III(d); IV(b); V(d).

CONCLUSION

For the foregoing reasons, Lyft requests that its Compliance Plans be approved.

² Lyft's Insurance Policy, Lyft.com, <https://www.lyft.com/drive/help/article/1229170> (last visited January 30, 2015).

Respectfully submitted:



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Dated: February 3, 2015