

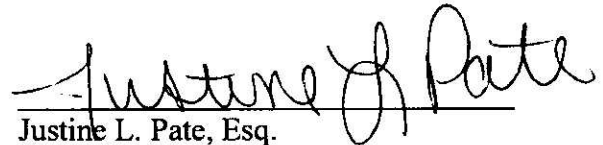
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Rasier-PA LLC, a Wholly Owned :
Subsidiary of Uber Technologies, Inc. for a :
Certificate of Public Convenience Evidencing : Docket No: A-2014-242408
Approval to Operate an Experimental :
Ride-Sharing Network Service Between Points in :
the Commonwealth of Pennsylvania, Excluding :
Designated Counties :

NOTICE TO PLEAD

TO: Karen O. Moury, Esq.
Buchanan Ingersoll & Rooney, PC
409 North Second Street
Suite 500
Harrisburg, PA 17101

You are notified to Plead to the enclosed New Matter within twenty (20) days from the date of service or a judgment may be entered against you.



Justine L. Pate, Esq.
Attorney for Keystone Cab Service Inc., EZ
Taxi, LLC, United Cab, LLC, Good Cab,
LLC

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**ANSWER OF KEYSTONE CAB SERVICE, INC., GOOD CAB LLC, EZ TAXI, LLC AND
UNITED CAB, LLC TO APPLICANT'S PRELIMINARY OBJECTIONS TO THE PROTESTS
OF VARIOUS CALL OR DEMAND CARRIERS**

And now, Respondents, Keystone Cab Service, Inc., Good Cab, LLC, EZ Taxi, LLC and United Cab, LLC (Respondents), by and through their counsel, Justine L. Pate, Esq., submit the following Answer to Applicant, Rasier-PA's (Applicant) Preliminary Objections.

I. Summary of Argument

1. Denied. Specifically, it is denied that Respondents do not have standing to Protest the Applicant's Application, and it is further denied that the Protest submitted by Respondent are legally insufficient and fail to state a claim upon which relief can be granted.
2. Denied, Specifically, it is denied that the Commission should expeditiously approve Applicant's application for experimental ride-sharing network services.

II. Introduction and Background

3. Answering Respondents are without sufficient information to admit or deny this claim. This averrment is therefore generally denied.
4. This paragraph contains legal conclusions, therefore no Response is required. To the extent a response is required, Respondent generally denies.

5. Admitted.
6. Admitted.
7. Admitted to the extent that Respondent's filed a Protest, the remainder of the allegations are denied.

III. Legal Standards Applicable to Preliminary Objections

8. This paragraph contains no factual allegations and are legal conclusions, therefore no response is required.
9. This paragraph contains no allegation to which a response is required.
10. This paragraph contains no allegations to which a response is required.
11. This paragraph contains no allegations to which a response is required.

IV. Argument

12. It is admitted that Protestants hold authority to provide call or demand service from the Commission. It is denied that the protest should be dismissed for lack of standing.

13. No response is required of Respondent's to this paragraph.

14. - 19. The remaining paragraphs contain arguments and legal conclusions to which no response is required. Applicant has continually asserted that because it has applied for an Experimental license, Respondent's have no standing to Protest the Application. Applicant has filed an Experimental Application in an attempt to circumvent the authority of the Public Utility Commission, and the Applicant's repeated assertion that it is not a common carrier is

disingenuous at best. The Applicant first cites to Application of Carriage Limousine Services, Inc., which is wholly distinguishable from the instant issue before the Commission. In Carriage Limousine, the Protestant was a taxi company which protested a limousine service.

In the instant case, the Applicant is a taxi company being protested by another taxi company. The assertion that Applicant utilizes some kind of “App-based technology” to gather rides does not remove Applicant from the realm of being a common carrier. Similar to the Applicant's alleged “Experimental Service”, Respondent utilizes an App in its day to day operations. The usage of an App is not a new or novel service, and while the Applicant has furnished itself as “experimental”, Applicant is, in reality, a common carrier in disguise.

Moreover, the case law Applicant uses to support its rationale are distinguishable from the instant matter. Applicant cites to Application of Danach, LLC, in support of its Preliminary Objections. In Danach a taxi company Protested an Application filed by a Limousine service. In the matter instantly before the Public Utility Commission, Respondents are common carriers and they are protesting a common carrier in disguise. Applicant is a common carrier in disguise because Applicant maintains that it should be classified as Experimental Service, due to its utilization of an “App” to gather rides. The use of the “App” does not change the fact that Applicant will be picking up passengers and getting a fare for their

transport.

Applicant also cites to Application of Yellow Cab of Pittsburgh, Inc. t/a Yellow X, which is also distinguishable from the instant case. However, in Application of Yellow Cab, no Protests were filed and the Commission was not faced with deciding the issue of standing. Additionally, the decision explicitly states at Page 10 that the Commission did not intend for the decision made to extend to other cases. The Commission specifically chose to limit the decision to the case instantly before them. The instant case is heavily protested. The very circumstances surrounding the instant case and the heavy amount of Protest's filed demonstrate how wise it was for the Commission to limit its previous decision in Application of Yellow Cab, to only that case, and not extend it to every Experimental Service, Transportation Network Service Application filed within the Commonwealth.

B. Preliminary Objection No. 2: Legal Sufficiency of Pleading

20. Denied. It is further denied that a hearing is not necessary. A hearing in this matter is necessary as Respondent has maintained that Applicant is using experimental service as a guise before the Commission.

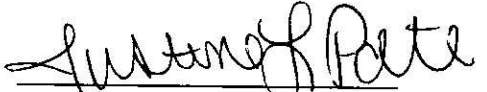
21-25. The remaining paragraphs contain numerous conclusions of law to which no

response is required. To the extent a response is required, they are denied. These paragraphs contain numerous arguments and conclusions of law which Respondent has already addressed above. Applicant relentlessly relies on Yellow Cab which is not binding case law on the instant case because there were no Protests filed in that case, and the Commission decided to limit its decision to a single case.

V. Conclusion

WHEREFORE, for the foregoing reasons, Respondents Keystone Cab Service, Inc., EZ Taxi LLC, United Cab, LLC and Good Cab, LLC respectfully request the Commission deny the Preliminary Objections filed by the Applicant.

Respectfully submitted,



Justine L. Pate, Esq.
Attorney for Keystone Cab
Service, Inc., EZ Taxi,
LLC, United Cab LLC, and
Good Cab, LLC
PA ID No 311904

NEW MATTER

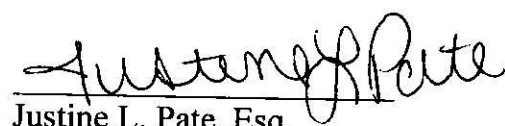
Respondent hereby files the below New Matter, and respectfully submits that

1. On or about July 1, 2012, the Commission directed the Applicant to cease and desist from brokering transportation.
2. Applicant, Rasier-PA LLC is a Wholly Owned Subsidiary of Uber Technologies, Inc. (Uber)
3. Applicant defied the Order and has been operating a taxi service without Commission authority.
4. On April 22, 2014, 11 Uber drivers received non traffic citations for unlawfully brokering transportation service using non-certificated drivers.
5. On or about June 5, 2014 the Bureau of Investigation and Enforcement (I&E) with the Public Utility Commission, proposed a \$1,000 civil penalty per each of the eleven drivers and also proposed that the Pennsylvania Public Utility Commission suspend the vehicle registration of each Uber driver.
6. I&E filed an additional complaint against Uber for offering to broker and brokering transportation without authority to do so. I&E requested a \$95,000 civil penalty.
7. Applicant has repeatedly ignored the Public Utility Commission. Applicant is seeking expedited approval of its Application as a means of correcting a past behavior of ignoring the Commission and the Commission's authority.
8. Applicant's has filed the incorrect application before the Commission.
9. Applicant should have filed an application for a Certificate of Public Convenience as a common carrier on call or demand.

10. Applicant has used the guise of Experimental service as a means of continuing to circumvent the Commission's authority.

11. Wherefore, given the Applicant's repeated defiance of the Commission, and the Commission's authority, and Applicant's status as that of a common carrier, Respondent's respectfully request that the Commission dismiss Applicant's Application for Experimental Service, and require Applicant to amend it's request to that of a Certificate for Call or Demand Service.

Respectfully submitted,



Justine L. Pate, Esq.
Attorney for Keystone Cab
Service, Inc., EZ Taxi,
LLC, United Cab LLC, and
Good Cab, LLC
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