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August 8, 2014

VIA E-FILING

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

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

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC., I have enclosed for electronic filing the Response to the Motion for Continuance filed by Capital City Cab Service in the above-captioned matter.

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

Sincerely,


Karen O. Moury

KOM/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Raiser-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 :

**RESPONSE TO MOTION FOR CONTINUANCE
OF CAPITAL CITY CAB SERVICE**

TO THE HONORABLE MARY D. LONG AND JEFFREY A. WATSON:

Raiser-PA LLC (“Rasier-PA”), by and through its counsel, Karen O. Moury and Buchanan Ingersoll & Rooney PC, files this response, pursuant to 52 Pa. Code § 5.103, in opposition to the Motion for Continuance filed on August 4, 2014 by Capital City Cab Service (“Protestant”), and in support thereof, avers as follows.

At the prehearing conference held on July 24, 2014, it was determined that hearings in the above-captioned matter would be held in Pittsburgh, Pennsylvania on August 18-19, 2014. Rasier-PA believes that the Protestant did not participate in the prehearing conference. Following the prehearing conference, the Administrative Law Judges (“ALJs”) issued a Prehearing Order Setting Litigation Schedule on July 28, 2014 establishing the litigation schedule to reflect those hearing dates and requiring the filing of briefs on August 29, 2014. The hearing and briefing dates were selected to accommodate the ALJs’ request to the parties circulated by electronic mail on July 14, 2014 and to address specific scheduling conflicts raised by counsel at the prehearing conference.

The application was filed on June 2, 2014 and published in the *Pennsylvania Bulletin* on June 14, 2104. A period of over sixty days from notice of the application until the onset of

hearings provided the Protestant ample time to serve discovery and prepare for litigation. Moreover, the Protestant already raised concerns about the litigation schedule at the prehearing conference, which were dismissed by the ALJs. The Commission's regulations providing for a hearing on a protested motor carrier application do not require that a certain period of time elapse before those hearings are held. See 52 Pa. Code § 3.381(c) and (d). The Commission has held hearings on motor carrier applications within sixty days in the past, noting that expedited treatment of this nature does not violate principles of due process. *See, e.g., Application of Dela Cab Company*, 1976 Pa. PUC LEXIS 12; 50 Pa. PUC 451 (December 9, 1976).

Regarding the scheduling conflict of the Protestant's counsel, Rasier-PA is willing to accommodate that conflict by agreeing to rescheduling the hearings to later in the same week, or on August 21-22, 2014, if those dates are acceptable to the ALJs. Based on Rasier-PA's discussions with other counsel in this proceeding, it is believed that the parties are available on these dates.

WHEREFORE, Rasier-PA LLC respectfully requests that the Commission deny the Protestant's Motion for Continuance, or in the alternative, reschedule the hearings to August 21-22, 2014.

Respectfully submitted,

August 8, 2014



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Attorneys for Rasier-PA LLC

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Designated Counties :

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).

Via E-Mail and/or First-Class Mail

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Dated this 8th day of August, 2014.



Karen O. Moury, Esq.