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September 22, 2017

VIA E-FILING

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

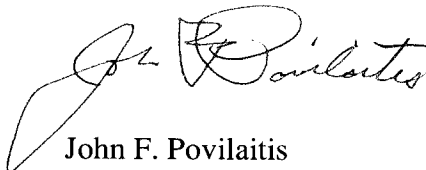
Re: Friedman Wagner-Dobler v. Rasier-PA LLC dba Uber
C-2017-2593690

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC, I have enclosed for electronic filing a Motion for Entry of a Procedural Order Setting a Case Management Schedule in the above-captioned case.

If you have any questions, please feel free to contact me.

Very truly yours,



John F. Povilaitis
Counsel for Rasier-PA LLC

JFP/jls
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

FRIEDMAN WAGNER-DOBLER	:	
	:	
v.	:	Docket No. C-2017-2593690
	:	
RASIER-PA LLC	:	

**MOTION FOR ENTRY OF A PROCEDURAL ORDER SETTING A
CASE MANAGEMENT SCHEDULE**

Pursuant to 52 Pa. Code § 5.15, 52 Pa.Code § 1.15, Rasier-PA, LLC (“Rasier-PA”), by and through its attorneys, John F. Povilaitis, Brian C. Wauhop and Buchanan Ingersoll and Rooney PC, moves the Pennsylvania Public Utility Commission (“Commission”) and Administrative Law Judge (“ALJ”) Katrina L. Dunderdale for the adoption of a procedural schedule as detailed below in the above-captioned proceeding. In support of this Motion, Raiser-PA states as follows:

1. This matter commenced March 16, 2017 when the Complainant, Friedman Wagner-Dobler, filed a Formal Complaint at the docket number above.
2. In August 2017, Raiser-PA engaged the undersigned legal counsel in connection with this matter. ALJ Dunderdale granted Raiser-PA’s August 9, 2017 request for a continuance of the hearing scheduled August 28, 2017 to allow the parties to meet and discuss possible resolution of the Formal Complaint.
3. The parties have discussed settlement of this matter, however not all elements of the Complainant’s requested relief have been resolved. With respect to Complainant’s claims for alleged excessive amounts charged for rides taken on March 10, 2017 and March 13, 2017 (Complaint Requests for Relief items (A) and (B)), Rasier-PA has provided refunds to the Complainant.

4. Previously the Complainant agreed he did not object to a request for a continuance of the hearing currently scheduled for September 28, 2017. However, he has also stated to counsel recently that proceeding with the hearing may be advantageous.

5. The remaining issues in this Complaint may be resolved by preliminary motion largely based on the clear lack of Commission jurisdiction over transportation network company charges under Act 164. As a result, Raiser-PA requests that the hearing scheduled September 28, 2017 be converted to an initial prehearing conference, or in the alternative, that the September 28, 2017 proceeding be cancelled and the ALJ consider the following proposed procedural schedule:

- | | |
|---|-------------------|
| a. Answer/Preliminary Motions of Raiser-PA: | October 6, 2017 |
| b. Discovery complete: | November 6, 2017 |
| c. Responses to Preliminary Motions due: | October 26, 2017 |
| d. Ruling on Preliminary Motions: | November 22, 2017 |
| e. Hearing Exhibits due: | December 8, 2017 |
| f. Hearing date: | December 16, 2017 |

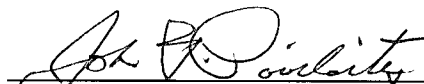
6. The foregoing proposed schedule is reasonable considering that Complainant's requests for refunds with respect to the March 10, 2017 and March 13, 2017 trips arranged through Raiser-PA has been provided consistent with the relief requested and the remaining issues may be resolved by preliminary motion. Raiser-PA submits the foregoing proposed schedule so that the ALJ may consider this schedule request and issue an appropriate order.

WHEREFORE, Raiser-PA respectfully requests that the Commission (i) convert the initial evidentiary hearing scheduled September 28, 2017 into an Initial Prehearing Conference or on the alternative, cancel the proceeding currently scheduled for September 28, 2017 and

grant this Motion for Entry of a Procedural Order Setting a Case Management Schedule adopting the procedural schedule set forth above; and (ii) grant Raiser-PA any other relief as appropriate.

Dated: September 22, 2017

Respectfully submitted,



John F. Povilaitis, Esquire
Brian C. Wauhop, Esquire
BUCHANAN INGERSOLL & ROONEY PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357

Counsel for Raiser-PA, LLC

VERIFICATION

I, John F. Povilaitis, Counsel for Rasier-PA LLC, hereby verify that the information in the foregoing Motion of Rasier-PA LLC, filed at Docket No. C-2017-2593690, is true and correct to the best of my information, knowledge and belief. I understand that the statements are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to the unsworn falsification to authorities.


Signature

Dated: September 22, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

FRIEDMAN WAGNER-DOBLER

v.

RASIER-PA LLC

:
:
:
:
:

Docket No. C-2017-2593690

CERTIFICATE OF SERVICE

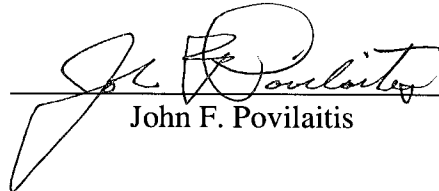
I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Via First Class Mail and Email

Katrina L. Dunderdale
Administrative Law Judge
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

Friedman Wagner-Dobler
5729 Walnut Street
Pittsburgh, PA 15232
friedmanwd@gmail.com

Dated this 22nd day of September, 2017.



John F. Povilaitis