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January 4, 2018

VIA E-FILING

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

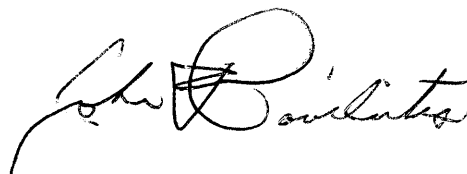
Re: Carla Guzman v. Rasier-PA LLC
Docket No. C-2017-2621783

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC, I have enclosed for electronic filing a Motion to Compel in the above-referenced proceeding.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis
Counsel for Rasier-PA LLC

JFP/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Administrative Law Judge
Dennis J. Buckley

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

NOTICE TO PLEAD

TO: Carla Guzman
1302 Edge Hill Road
Abington, PA 19001

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that, if you do not file a written response to the enclosed Motion to Compel of Rasier-PA, LLC (“Motion”), within **twenty (20) days** from service of this Notice, the Motion may be granted. All pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Rasier-PA, LLC, and where applicable, the Administrative Law Judge presiding over the case.

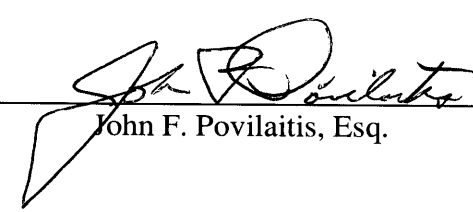
File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

John F. Povilaitis
Brian C. Wauhop
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101

Dated: January 4, 2018



John F. Povilaitis, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

**MOTION TO COMPEL OF
RASIER-PA LLC**

TO THE HONORABLE DENNIS J. BUCKLEY:

Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission's ("PAPUC" or "Commission") regulations, 52 Pa. Code § 5.103, Rasier-PA, LLC t/a Uber ("Raiser-PA," "Uber" or the "Company") hereby files this Motion to Compel ("Motion") in the above-captioned proceeding. In support of this Motion, Rasier-PA represents as follows:

I. BACKGROUND

1. On August 29, 2017, Carla Guzman ("Complainant") filed with the Commission a Formal Complaint ("Complaint"). 66 Pa. C. S. §§ 101, *et seq.* Rasier-PA served Interrogatories and Requests for Production of Documents-Set I ("Set I"), attached as Exhibit A, directed to the Complainant on December 7, 2017. No responses to Set I have been received.

II. ARGUMENT

2. The Set I interrogatories and requests for production propounded by Rasier-PA all sought information in the form of issues, potential testimony, documents, exhibits and opinions that the Complainant intended to present at hearing. *See* Exhibit A. Set I advised the Complainant that Answers to Set I were due within twenty days of the date indicated in the Certificate of Service. *See* Exhibit A. Had the Complainant timely

responded to the Set I discovery, Rasier-PA would have had the opportunity to prepare its response to Complainant's case in the form of testimony and exhibits.

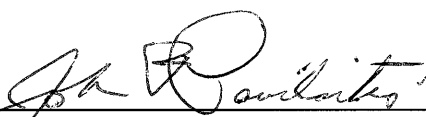
3. The Complainant has not provided responses to Rasier-PA's Interrogatories and Requests for Documents. Therefore Complainant should be barred from presenting evidence in support of this complaint at the hearing scheduled for January 8, 2018. In the alternative, Rasier-PA should be granted such relief as is appropriate.

III. CONCLUSION

WHEREFORE, Rasier-PA respectfully requests that Your Honor should grant this Motion to Compel and bar the Complainant from presenting evidence in support of the Complaint at the hearing of January 8, 2018 or in the alternative grant this Motion to Compel and provide such other relief as may be just and reasonable under the circumstances.

Respectfully submitted,

Dated: January 4, 2018



John F. Povilaitis (ID# 28944)
Brian C. Wauhopp (ID# 306695)
Buchanan Ingersoll & Rooney PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101
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Fax: 717-233-0852
E-mail: john.povilaitis@bipc.com
E-mail: brian.wauhopp@bipc.com

Counsel to Rasier-PA, LLC t/a Uber

Exhibit A

Buchanan Ingersoll & Rooney PC

Brian C. Wauhop
717 237 4975
brian.wauhop@bipc.com

409 North Second Street
Suite 500
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December 7, 2017

VIA UPS OVERNIGHT DELIVERY

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001

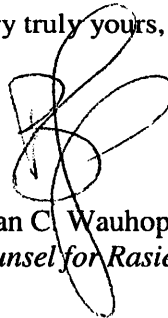
Re: *Carla Guzman v. Rasier-PA LLC*
Docket No. C-2017-2621783

Dear Ms. Guzman:

Enclosed please find Rasier-PA LLC's Interrogatories and Requests for Production of Documents (Set I) to Carla Guzman in the above-captioned proceeding.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



Brian C. Wauhop
Counsel for Rasier-PA LLC

BCW/lws
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA, LLC t/a UBER

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Docket No. C-2017-2621783

**RAISER-PA LLC'S INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS (SET I) TO CARLA GUZMAN**

Raiser-PA LLC ("Raiser" or the "Company"), by and through its counsel, John F. Povilaitis, Brian C. Wauhop, and Buchanan Ingersoll & Rooney PC, hereby propound the following Interrogatories and Requests for Production of Documents (Set I) (hereinafter referred to as "Discovery Requests") to Carla Guzman ("Complainant"), to be answered separately and fully in writing and under oath within twenty (20) days of the service date shown on the Certificate of Service attached hereto, pursuant to 52 Pa. Code §§ 5.341, 5.342, and 5.349.

Definitions and instructions for answering these interrogatories and document requests are located at the end of this document. If you have questions regarding this material or the interrogatories and document requests, please feel free to contact any of the attorneys listed in the preceding paragraph.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Identify and describe any and all issues you intend to raise in the hearing of your Formal Complaint.

2. Identify and describe all persons including yourself, other than expert witnesses that you may call or expect to call as a witness at the hearing of your Formal Complaint, including, but not limited to:

(a) their name,

(b) business address,

(c) personal or business affiliation,


(d) the subject matter of their expected testimony, and

(e) a summary of their proposed testimony.

3. Identify and describe the name, address, telephone number, employer and job title of each person you expect to call as an expert witness at the hearing of your Formal Complaint.

5. Identify and describe all documents or other objects you expect to introduce as exhibits at the hearing of your Formal Complaint. Please provide copies of all identified documents.

Dated: December 7, 2017



John F. Poylaitis
Brian C. Wathop
BUCHANAN INGERSOLL & ROONEY PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
(717) 237-4975

Attorneys for Raiser-PA LLC

I. DEFINITIONS

A. As used herein, “document” refers to any written, printed, recorded, taped, electronic, or graphic matter, including but not limited to, writings, agreements, licenses, contracts, books, pamphlets, periodicals, memoranda, correspondence, notes, diaries, calendars, appointment books, estimates, reports, intraoffice communications, work papers, canceled or uncanceled checks, records, filings, cost sheets, estimating sheets, studies, analyses, evaluations, purchase orders, bills, invoices, confirmations, bills of lading, receipts, ledgers, accounts, charts, graphs, indices, computer printouts, data sheets, data processing cards, tapes or discs, and any other data compilation from which information can be obtained or translated, if necessary, through detection devices into reasonably usable form, recordings, transcriptions thereof, minutes of meetings, and all other materials relating to any conversations, meetings and/or conferences, by telephone or otherwise, and any other writing or recording, however produced or reproduced, of any kind or description, including originals, non-identical copies (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts, regardless of origin, whether sent or received or made and/or used internally, in whatever form, and both sides thereof, that (a) are now or formerly in your possession, custody, or control or (b) are known or believed to be responsive to these interrogatories, regardless of who now has or formerly had possession, custody or control.

B. As used herein, the term “oral communication” means any words heard or spoken, including without limitation, words spoken during any meeting, discussion, speech, or conversation including any telephone conversation.

C. As used herein, “representatives” shall include directors, officers, employees, agents, attorneys or other persons acting on behalf of any of the Defendants.

D. As used herein, “identify” shall mean describe with particularity and provide the following information:

(a) When used with reference to a natural person, state his or her full name, address and present or last known business, his or her last known or present business affiliation, and his or her position and business affiliation (including a description of his or her duties and responsibilities) at the time of the transaction, occurrence, event, happening or matter in question;

(b) When used with reference to any entity other than a natural person (e.g., a corporation, partnership, joint venture, or unincorporated association), state: (1) its full name and organization form; (2) the address of its principal place of business; and (3) its purpose, primary business, or activities.

(c) When used with reference to a document (as that term is defined in paragraph A, above), annex a legible copy thereof including all attachments thereto, or state:

- (1) The nature of the document (e.g., letter, contract, chart, memorandum);
- (2) Its date and the date of its preparation;
- (3) Each author (and, if different, each signer) thereof, each addressee, and each other person to whom the document was distributed;
- (4) Its subject matter and substance;
- (5) Its present or last known location and custodian;
- (6) The disposition if such document was but is no longer in your possession or subject to your control; and
- (7) Any other information necessary to enable the custodian to locate the particular document and necessary for use in a request for

production of documents under Pennsylvania Rule of Civil Procedure 4009.11.

- (d) When used with reference to a meeting, state:
 - (1) The date, time, and location of the meeting;
 - (2) The identity of all persons involved in each and every meeting; and
 - (3) The substance of the meeting.
- (e) When used with reference to a legal proceeding, state:
 - (1) The court, administrative agency, or other governmental body involved;
 - (2) The caption of the proceeding;
 - (3) All parties to the proceeding; and
 - (4) The docket number of the proceeding.

E. As used herein, “person” or “persons” include natural persons as well as firms, partnerships, associations, institutions, joint ventures, corporations, governmental entities, administrative agencies, professional associations, and every other organization of whatever sort.

F. As used herein, the term “date” means the exact day, month and year, if ascertainable, or, if not, your best approximation thereof. If an approximation is given, the responses should so indicate.

II. INSTRUCTIONS FOR INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

A. Each interrogatory shall be accorded a separate answer, and each subpart of an interrogatory shall be accorded a separate answer. Interrogatories or subparts thereof should not be combined for the purpose of supplying a common answer. In accordance with 52 Pa. Code § 5.342, your response must be answered fully, in writing, under oath, and signed by the person answering.

B. In answering these interrogatories, furnish all information, including documentation that is available to you, including information in the possession of any of your agents, employees, or attorneys or otherwise subject to your custody and control. Under 52 Pa. Code § 5.332, you must supplement your responses to these discovery requests as additional or more accurate information becomes available and must also amend any response when it is discovered to no longer be true.

C. If you know of any document, communication, or information but cannot give the specific information or the full information called for by a particular interrogatory, provide all the information you have on the subject, and identify every person you believe to have the required document, communication or information.

D. No answer is to be left blank. If the answer to an interrogatory or subpart of an interrogatory is “none” or “unknown”, such statement shall be written in the answer. If the answer is omitted because of a claim of privilege, the basis of the privilege is to be stated.

E. The conjunctions “and” and “or” shall each be individually interpreted in every instance as meaning “and/or” and shall not be interpreted disjunctively to exclude any information otherwise within the scope of any specification in any interrogatory.

F. The term “including” shall be interpreted to mean “including without limitation.”

G. Unless otherwise specified, each answer shall cover the period through the date on which the answers are served.

H. As used herein, whenever an interrogatory calls for information with respect to “each” one of a particular type or class of matters, events, persons, or entities of which

there is more than one, separately list, set forth, and identify for each thereof all of the information called for.

I. If, in an answer, reference is made to an oral communication, with respect to each such oral communication:

- (1) State by whom and to whom such communication was made;
- (2) State the date and time such communication was made;
- (3) State the manner in which such communication was made (e.g., face-to-face conversation, telephone call);
- (4) State the subject matter and the substance of such communication;
and
- (5) Identify all documents memorializing, referring, or relating to such communication.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

CERTIFICATE OF SERVICE

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

Via UPS Overnight Delivery:

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Dated this 7th day of December, 2017.



Brian C. Wauhop

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

CERTIFICATE OF SERVICE

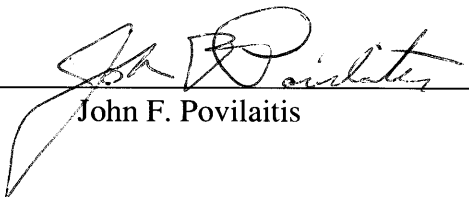
I hereby certify that I have this day served a true copy of the foregoing document upon the party, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Via Email and First Class Mail:

Hon. Dennis J. Buckley
Administrative Law Judge
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
debuckley@pa.gov

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Dated this 4th day of January, 2018.



John F. Povilaitis