



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

January 23, 2015

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation  
and Enforcement v. Uber Technologies, Inc., *et al.*  
Docket No. C-2014-2422723

Dear Secretary Chiavetta:

Enclosed for filing is the Bureau of Investigation and Enforcement's Reply to the Objection of Uber Technologies, Inc. to the Application for Subpoena of Travis Kalanick in the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please contact me at (717) 772-8839.

Sincerely,

Stephanie M. Wimer  
Prosecutor

Michael L. Swindler  
Prosecutor

Enclosure

cc: Honorable Mary D. Long  
Honorable Jeffrey A. Watson  
As per certificate of service

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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UTILITY COMMISSION  
SECRETARY'S BUREAU

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and Enforcement, :  
Complainant :  
 :  
v. : Docket No. C-2014-2422723  
 :  
Uber Technologies, Inc., et al. :  
Respondents :

**REPLY OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT TO  
THE OBJECTION OF UBER TECHNOLOGIES, INC. TO THE APPLICATION  
FOR SUBPOENA OF TRAVIS KALANICK**

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

AND NOW comes the Pennsylvania Public Utility Commission's (Commission) Bureau of Investigation and Enforcement (I&E) and files this Reply to the Objection of Uber Technologies, Inc. (Uber) to the Application for Subpoena of Travis Kalanick in the above-captioned case. In support thereof, I&E avers as follows:

1. On January 9, 2015, I&E filed an Application for Subpoena of Travis Kalanick to testify at the evidentiary hearing scheduled for February 18, 2015 in this matter. Travis Kalanick is the founder and Chief Executive Officer of Uber Technologies, Inc. Respondents Rasier LLC, Gegen LLC and Rasier-PA LLC are wholly owned subsidiaries of Uber Technologies, Inc. Upon information and belief, Travis Kalanick is the sole member of Rasier LLC, Gegen LLC and Rasier-PA LLC.
2. Uber objected to I&E's Application for Subpoena on January 21, 2015.

3. Notably, Uber did not argue that Travis Kalanick lacked awareness of or access to the information sought in I&E's Application for Subpoena, including: (1) trip data; (2) identification of the corporate entity or entities that unlawfully operated in Pennsylvania; (3) the business relationships between Uber and the various affiliates under the Uber Technologies, Inc. corporate umbrella and their respective roles in operating passenger transportation service in the Commonwealth; and (4) the date in which the Uber mobile application became available for passengers to access transportation for compensation in Pennsylvania.<sup>1</sup>

4. In its Objection, Uber suggested that a different Uber representative, Jonathan Feldman, be the recipient of the requested subpoena.

5. It is important to note that while Mr. Feldman may have sufficient knowledge and information to testify regarding trip data, Travis Kalanick is the sole commonality between all Uber corporate affiliates operating in Pennsylvania and as such, it is lawful and appropriate to direct that he appear, testify and be subject to cross-examination at the hearing in this matter.<sup>2</sup>

6. Nevertheless, no subpoena would be necessary if Uber would produce all

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<sup>1</sup> The necessity of filing an Application for Subpoena of Mr. Kalanick is the result of Uber's refusal to respond to any of I&E's discovery requests, which includes information regarding the relationships among and between the numerous Uber affiliates, and not just trip data.

<sup>2</sup> Should it be determined that Jonathan Feldman is the appropriate recipient of the Subpoena, then I&E respectfully requests that it not be required to submit a new application for subpoena naming him as the witness.

outstanding discovery responses that it was ordered by this court to provide to I&E in this proceeding. I&E would withdraw its Application for Subpoena upon the immediate receipt of full and complete responses to all of its outstanding discovery questions.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that the presiding Administrative Law Judges consider I&E's Reply to Uber's Objection and issue a Subpoena requiring Travis Kalanick to attend the hearing in this matter scheduled for February 18, 2015.

Respectfully submitted,



Stephanie M. Wimer  
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Prosecutor  
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Wayne T. Scott  
First Deputy Chief Prosecutor  
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Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
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Date: January 23, 2015

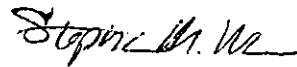
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## CERTIFICATE OF SERVICE

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 52 Pa. Code § 1.54 (relating to service by a party).

### Service by First Class Mail and Email:

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Stephanie M. Wimer  
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